

Town of Stony Point 2013 Amendment to the 1995 Master Plan

Prepared for review by the Stony Point
Comprehensive Plan Advisory Committee



Technical Assistance by

Robert Geneslaw Co.
Turner Miller Group

**As Approved by the Comprehensive Plan Advisory
Committee**

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**and Supplemented as recommended by the US
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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. 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 Committee 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 Committee 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 Committee 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 Committee's recommendations and requesting feedback on whether the Comprehensive Plan Advisory Committee 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 Committee 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 Committee 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	2010
Population	12,912	14,244	12,147
Households	4,332	4,831	4,302
Mean Household Income (\$)	55,065	83,081	115,499(2011)
Total Units	4,553	4,951	4,525
Persons per Household	2.98	2.95	2.81
Single-family detached housing	75.71%	80.93%	85.1% (2011)
Population over 65	10.41%	11.70%	16.3%
Rental Units	18.66%	15.96%	13.4%
Unemployment	3.80%	3.17%	7.4% (2011)

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

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

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

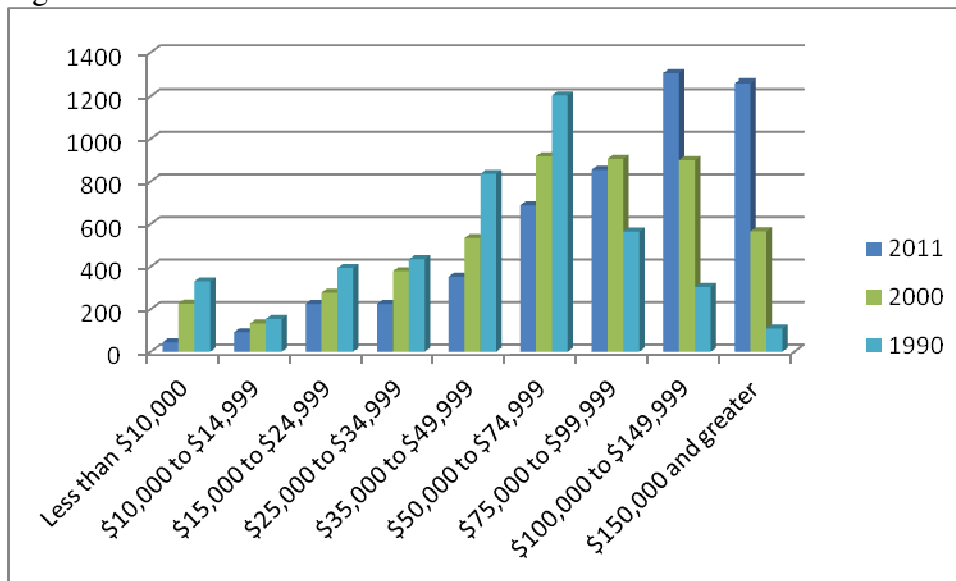


Table 2. Income and Benefits

INCOME AND BENEFITS (IN 2011 INFLATION-ADJUSTED DOLLARS)	Households 2011		Households 2000		Households 2000	
	Number	%	Number	%	Number	%
Less than \$10,000	45	2%	227	5%	331	8%
\$10,000 to \$14,999	92	4%	133	3%	154	4%
\$15,000 to \$24,999	225	2%	278	6%	394	9%
\$25,000 to \$34,999	225	6%	379	8%	435	10%
\$35,000 to \$49,999	353	10%	534	11%	836	19%
\$50,000 to \$74,999	688	11%	918	19%	1,204	28%
\$75,000 to \$99,999	855	21%	906	19%	565	13%
\$100,000 to \$149,999	1,303	19%	900	19%	304	7%
\$150,000 and greater	1,260	25%	566	12%	109	3%
Total households	3,786		4,831		4,332	

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 13.4% in 2011, as well as a decrease in the percentage of affordable and workforce housing available.

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% in 1990 to 16.3% in 2011.

The boom in the Stony Point housing market peaked in late 2005. This was followed quickly by a rapid decline in prices. The Town has since seen housing values drop an average of 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 7.4% in 2011.

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. These closures have contributed to a lack of local employment opportunities and an overall decline in town revenue and a concomitant increase in local property taxes which has raised concerns among residents.

Purpose of the 2013 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.

2012 US EPA Quality Communities Building Blocks Technical Assistance Program

In 2012, the Town of Stony Point was chosen to receive assistance from the US Environmental Protection Agency to plan for economic and fiscal health. A two-day workshop was held on June 21st and 22nd for the purpose of identifying and developing recommendations to address economic development .

An evening presentation on June 21st attracted approximately 55 participants including civic leaders, elected officials, long-time residents, and several younger residents. Discussion ranged from longstanding disagreements with the Town of Haverstraw regarding combined school

district revenues and spending, to environmental impacts of the closed Lovett power plant, to potential impacts/opportunities from proposed new Champlain Power Line (from Quebec to NYC, coming ashore at Stony Point). Concepts such as connecting commercial nodes and creating a new Town Center were key discussion topics. The Day 1 sustainable development for prosperous communities theme appeared to bring a unifying framework to the participants; it was echoed in numerous comments during both Day 1 and Day 2.

On Day 2 (June 22nd), the participants were a carry-over from the previous evening, and as such, did not focus on technical issues, but rather continued the conversation initiated the prior evening. Participants became energized about a way to make Stony Point more economically and fiscally healthy, but working on enhancing the Town's many assets and connecting them.

Although the work performed as part of this program is separate from the work accomplished by the Comprehensive Plan Advisory Committee, the Town Board has chosen to incorporate the ideas and recommendations of this separate process into this Master Plan Update. Based on the outreach conducted at the EPA workshops:

The Town has numerous economic assets (strengths) including:

- Beautiful setting on the Hudson River
- Proximity to NYC (45 miles), West Point Military Academy (16 miles north on Hudson River) and Woodbury Common Premium Outlets (16 miles northwest in Central Valley, NY)
- The Stony Point State Historic Site includes the site of an historic Revolutionary War battle, which attracts numerous tourists and re-enactors.
- Waterfront with boatworks, several marinas, and a small town park
- Letchworth Village/Patriot Hills Golf Course, on the site of a former long-term care facility, entire site is owned by the Town
- Local shops with loyal customers
- Local theater company
- Stony Point Center, a faith-based retreat center with a social justice orientation
- Strong sense of community and "place"

Stony Point also faces many economic and fiscal challenges including:

- Concern over high property taxes and declining Town revenue base
- Concern about the financial investment made in Letchworth Village/Patriot Golf Course
- Lack of a town center, which was historically at Liberty Boulevard and Main Street
- Lack of connectivity between strip retail centers along Liberty Boulevard (bike and pedestrian)
- Vacant, blighted former grocery store on Liberty Boulevard (Stop & Shop)
- Remaining environmental clean-up from former power plant (coal ash pile)
- Lack of access to grant funding due to high median incomes; combined with a town tax base too small to support significant capital investments without State, Federal, or private sector funds.

- Wetlands with restoration needs; portions near waterfront in flood plain
- Lack of affordable and workforce housing; Lack of sufficient local employment
- Limited public transit (no commuter rail, limited bus service)
- Limited visitor lodging available in town, except for small B & B run by faith-based enterprise, and local budget motel
- Hotel could provide hotel tax revenues, need ordinance and clarification relative to new Rockland County TOT ordinance

Economic Development

With local business closures and high property taxes, the Town has recently shifted its focus to make economic development a major priority. At the recent planning workshop, sponsored by the US Environmental Protection Agency many residents pointed to the lack of a distinct town center, vacant blighted businesses and lack of connectivity among local strip retail centers a barrier to local economic development. Residents also believe the need for environmental remediation at the former power plant, the lack of public transit and the lack of hotel accommodations as also contributing to the downturn in local business economy.

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 Committee 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 Committee 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.

Other top economic development priorities include the following:

- **Redevelop Letchworth Village (multiple historic stone buildings with potential to generate revenue for the Town; also potential new development sites).** This site, located near one of two highway exit ramps for the Town, is a major focal point at the gateway to the Town. With its excellent access, spacious grounds and low density historic stone buildings, the property may offer the opportunity to redevelop with preservation as well as infill new development. During recent discussions, the site was described by several planning workshop participants as potentially offering a “new village” or “new community” due to the development potential of the overall site.
- **Develop Town Center at Liberty and Main.** Stony Point has a very limited Town “center” and resulting sense of place despite the historic crossroads at Liberty and Main. Challenges to redevelopment include Liberty’s status as a state highway (with a soon-to-be-completed widening project at this intersection), and lack of development sites. However, the two block area in each direction from this intersection contains the Town’s library building (owned by a separate non-profit) which is relocating elsewhere, meaning this structure and site will be available for other uses; a new mini-park at the intersection (being constructed by the State as part of its widening of Liberty project); and several one-story occupied buildings which are not historic (sites could lend themselves to potential more dense mixed-used redevelopment). Focus can be directed toward improving landscaping, streetscape and design guidelines in this area to avoid traditional strip developments and huge parking areas that break up the “main street” nature of the area.

In particular, the Town should look for opportunities to apply for funding under the Transportation Alternatives program recently created within the new Federal Transportation legislation, MAP-21. Although this new program has somewhat less money than the set of programs consolidated within it (transportation enhancements, safe routes to school, recreational trails, etc.) each state DOT and metropolitan planning organization are required to run competitive grant programs to allocate their share of this \$814 million annual program. Additionally, street and intersection improvements to enhance business access and pedestrian safety are also eligible to compete for funding within the much larger Surface Transportation Program. These funds are allocated at the state DOT and MPO level within their Transportation Improvement Program process.

- **Redevelop waterfront including mixed income housing.** The Stony Point waterfront contains a complex mix of publicly- and privately-owned marinas and industrial sites, including both ongoing industrial operations and some semi-abandoned industrial uses. One property owner has proposed a mixed-use redevelopment project at a private marina (including housing and limited retail), but the Town’s current zoning and flood management do not accommodate this project without major revisions. The “vision” for this area is for strategic redeveloped to provide both a community asset, increased tax

revenue generation, and a destination to complement the state park historic battlefield site nearby. Due to flood zones, at-grade railroad crossings still in use to serve the industrial sites, and limited road access, along with abandoned power plant facilities and wetland issues, this environmentally-sensitive area will need comprehensive, detailed planning and land use regulation to create a feasible and integrated community asset.

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 had 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 and R-W district were considered but never adopted.

Additional Goals of the 2013 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 2013 Plan Amendment

The following specific recommendations are hereby appended to the 1995 Master Plan and are intended for immediate implementation. 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. Upper Story Residential Units in the Business (BU) Zoning District (Route 9W Corridor)

Upper Story residential units over ground floor commercial 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. Residential units added to the commercial structures will have the added benefit of providing a supply of legal rental or condominium 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

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.

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.

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

The list of Special Permit, Conditional and Permitted Uses in the BU 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

The Holt Drive LI district west of the rail line should be re-designated to a new unique district (LI-2) allowing light industrial and business uses and all special permit uses in the current Holt Drive 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

These uses should remain special permit uses subject to their current criteria. 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 within the new Holt Drive zoning district:

- 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

Additionally, consideration should be give to the types of uses permitted in existing LI-zoned areas not adjacent to Holt Drive. The following uses permitted along Holt Drive may be inappropriate for other LI-zoned areas of the Town:

- Local convenience commercial uses and restaurants accessory to local convenience commercial uses

- Automobile and boat sales and service including auto body repair subject to 215-87
- Hotels and motels and restaurants accessory to hotels and motels
- On-site dry cleaning facilities
- Appliance and household equipment repair
- Automobile rental establishment
- Tire retail stores
- Power equipment sales and service, including lawn mowers, snowmobiles, tractors, etc.
- Animal boarding facilities (kennels), animal shelters, animal hospitals, veterinarians, animal grooming and sales

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 and Zoning 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 or Zoning Board if disagreements arose with the professional staff, which should include the Building Inspector, Town Attorney, Zoning Board Attorney or Planning Board Attorney, Town Engineer and Town Planner. Additionally, a member of both the Planning Board and Zoning Board should attend these TAC meetings. This member should be consistent month to month. Further formal TAC reports should be made to both Boards to keep members apprised of pending application matters.

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.

10. Tree Preservation

A tree preservation provision should be enacted that requires Building Department or Planning Board approval for the removal of excessive amounts of healthy large trees in any calendar year except as part of a site plan or subdivision application (since those applications already review tree removal). Such a provision will allow for mitigation plantings and to set standards for the installation of screening and street tree installation.

11. 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.

Longer Term and Ongoing Recommendations

12. Townhouse and Condominium Developments

Based on US Census Public Use Microdata, Townhouse and condominium developments generate fewer schoolchildren (approximately 15% to 40% fewer) on average 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 select 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.

13. Beach Road Area

This area has a mix of public and private ownership, active marinas, working boat yards, aging industrial facilities, and borders shared with neighboring towns. Vacant and underutilized areas with Hudson River frontage historically have been sought for water dependant uses. More recently water-enhanced uses such as residential, commercial and mixed-use development have proven to be a stronger market. This has resulted in development pressure on vacant lands as well as existing water-dependant uses. The Beach 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 Beach Road
- Impacts to the existing residential neighborhood along Beach 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 Beach Road.
- The Local Waterfront Revitalization Program may need to be examined and possibly amended, including gaining NY Department of State concurrence.

- From a long term perspective, plans should take into account the potential impact of climate change, including a potential for higher tides on the Hudson River.

Any successful application for water-enhanced use of the Beach Road Area must address these challenges. Close attention will need to be given to planning a long-term revitalization strategy for this entire area, including engagement with all major property owners and federal/state agencies. This area holds the potential to become a beautiful waterfront residential and village community, as well as a major visitor destination. In addition, waterfront redevelopment, if linked with the Town Center concept described above, will create further synergies, attracting visitors to the linked destinations. The Town should also look for non-traditional State and Federal funding sources to pay for improvements that would support appropriate waterfront redevelopment. For example, EPA's non-point source management program provides grants through states that could be used for wetland restoration and green infrastructure improvements near the waterfront.² Federal flood control programs³ have been used by some communities to develop greenways and recreational trails that also serve as flooding buffers. These are two examples of opportunities that might be leveraged with well designed projects that serve a dual purpose.

14. Larger Scale Mixed Use Nodes including Development and Creation of a Town Center

The plan amendment recommends allowing mixed uses in the Business (BU) Zoning District – in the Route 9W Corridor with a focus on creating a town center around the intersection of Route 9W (Liberty) with Main Street and adjacent blocks. Another principal opportunity for significant mixed-use development is at the former Stop&Shop plaza. As contemplated this amendment would apply to developed properties and, while beneficial, may be limited by property size and configuration, building size and configuration, and other factors. Each parcel in this area will need to be analyzed for long-term redevelopment/adaptive reuse potential, along with a parking scheme, and pedestrian/bike connectivity to coordinate with traffic moving through the intersection in all directions. Given the built out nature of the area, it is also recommended that the entire South Liberty corridor be the focus of a streetscape and intersection improvement program. The key objective would be to identify investments that improve pedestrian safety, make the corridor more attractive, and support the existing local business activity along 9W.

In order to provide a greater opportunity for mixed use development, the plan also recommends that consideration be given to allowing larger scale mixed use development, subject to criteria to be developed as part of Phase 2 of the Comprehensive Plan. Initially, the criteria should include consideration of such factors as:

- Availability of adequate physical infrastructure, including water/sewer, stormwater, roads, utilities;
- Whether density or development intensity should be increased from the present code;
- The mix of uses that should be permitted;

² Process for Applying for 319(h) funds <http://water.epa.gov/polwaste/nps/319hfunds.cfm>

³ For example, Army Corps of Engineers Emergency Advance Measures for Flood Prevention program.

- Impact on real property tax levels;
- Establishment of location criteria, such as proximity of shopping and other services, transportation, or other amenities;
- Establishment of buffers, setbacks, screening and similar measures to protect existing residential neighborhoods; and
- Other elements that may arise while the general concept is evaluated.

With particular attention to a potential Town Center at the Corner of Main Street and Route 9W, or at the Corner of Willow Grove Road and Route 9W, it is noted that additional planning must be conducted to determine the interest and willingness of area landowners to participate in a transformation of these areas toward a more traditional Town Center. These planning exercises can consist of a series of workshops to build consensus on the bulleted items above, as well as an appropriate and functional layout for the areas. Conducting work sessions with stakeholders will also help the Town identify appropriate levels of incentives necessary to evoke a transformation as well as how to overcome physical, operational and functional limitations of these areas, such as parking, vehicular traffic, and pedestrian circulation.

15. Hazard Mitigation Planning

The Town should identify infrastructure and other issues which could be dealt with via the Federal or State Office of Emergency Management. FEMA post disaster recovery funds can be used for infrastructure improvements beyond reconstruction of existing assets so long as key improvements are incorporated into an approved hazard mitigation plan. In March of 2011, Stony Point approved the current Rockland County Multi-Jurisdiction Hazard Mitigation Plan, which runs through 2016. However, FEMA periodically makes funds available through the New York State Office of Emergency Management to update Hazard Mitigation Plans. It is possible that Rockland County was awarded funds in the last grant cycle for an update, or that Stony Point could apply for its own planning grant in a future funding cycle. Such planning funds could be used to identify infrastructure improvements to support the community goals discussed above. For example, waterfront investments could include wetland restoration and other flood mitigation improvements needed to accommodate development, a recreational trail or other improvements to the Town waterfront park to improve access and encourage local tourism. Infrastructure improvements to address connectivity and access between the Town and waterfront might also be included in a Hazard Mitigation Plan

16. Tourism initiatives

Stony Point has numerous attractions and draws visitors to the community who participate in Revolutionary War battle reenactments, the Stony Point Center, the waterfront marinas, and the local theater company performances. In addition, nearby within 15 miles, attractions including West Point, Woodbury Commons Premium Outlets, Bear Mountain State Park, Downtown Nyack and a host of other attractions all draw visitors from around the world. Tourism can increase local economic activity through increased restaurant and retail sales, as well as through lodging revenues if there were additional facilities in Stony Point. In many communities, tourism is also a strong source of General Fund revenues, through parking taxes, hotel taxes, and revenue-sharing arrangements on sales taxes (depends on fiscal arrangements with Rockland

County and State of New York). The Town has started the process of enhancing its tourism through work by the Economic Development Task Force (including forming a local Film Board); however, this initiative could likely bear additional fruit through collaboration with Haverstraw, enhanced promotion of Stony Point at the other attraction destinations, and increased coordination between visitors to Woodbury Commons and the Patriot Hills Golf Course. Also, the Palisades Interstate Parks Commission may be able to provide additional support and services to Stony Point.

17. Alternative Funding Sources

One of the concerns expressed repeatedly during the above-mentioned local planning workshop was the lack of Town resources to fund new initiatives and the unwillingness of tax payers to take on additional burden. At the same time, the Town has a high household income profile, considered a barrier to accessing traditional state and federal funding. Many communities have evolved a more diverse funding stream to address local issues, including philanthropic, university, major landowners, corporate sponsorship, and daytime user fees to balance and mitigate the fiscal burden on property owners. The community should explore avenues to diversify funding sources including from government, institutional and private sources, potentially as part of the Phase 2 Comprehensive Plan.

18. Letchworth Village /Patriot Hills Golf Course

The golf course, historic buildings and undeveloped land at the former Letchworth Village site are key assets for the Town. Given the prominence of its location and recent consideration of costs to maintain the area, the Town has expressed a desire to redevelop or otherwise attract redevelopment of this site. However, the Town has sought to engage a redevelopment partner to guide this property through full revitalization, rather than expend its own resources in preparing a more speculative plan for redevelopment.

Key obstacles to redevelopment include the high costs of adaptive reuse of historic structures, although it is important to note that historic tax credits may be available, which typically can be utilized to offset high renovation costs after designation. Another key obstacle is the possible presence of lead paint and/or asbestos throughout the buildings which remains relatively unknown.

The Town recently issued requests for proposals from private development firms through an open-ended solicitation that did not set forth a full vision or financial requirements, being more deferential to the judgments of private parties as to the program and approach to redevelopment. A viable proposal that was tenable to Town stakeholders has not been considered by the Town Board to date, and it is clear that future redevelopment of the site will require refinement of the Towns goals, as well as thresholds for uses and impacts that the Town is willing to entertain as part of future proposals.

The Town should develop a practical vision for the future of the Letchworth Village property based on the input of local stakeholders and in consideration of what will be tenable to local residents. A range of possible uses, densities, sizes, and other development features should be

compiled to instruct future RFP processes. Tough questions such as whether the Town would be willing to transfer ownership of its golf course to a private entity must be addressed. Once public visioning for this property is completed, the Town may wish to facilitate one or two design charettes, wherein a few concept layouts can be developed for the property.

Compiling this information, providing examples of acceptable projects, and amending zoning will provide certainty and reduce risk for potential private redevelopment partners, thereby increasing the property's marketability.

An overlay zoning district should be established that would permit an applicant the flexibility necessary to propose a project within the range of acceptable thresholds established as part of the visioning and design process. As part of adopting this zoning, a Generic Environmental Impact Statement could be prepared that identifies thresholds within which environmental impacts would be unlikely and within which further environmental review would not be required. Relieving future site development from costly environmental review would serve to significantly increase the value of the property for redevelopment.

It is noted that the embarkation on both the planning and environmental review processes for Letchworth Village are an investment by the Town. Costs would be incurred in undertaking these processes, but they would drastically increase the value of the site to a redevelopment partner.

19. Comprehensive Plan Phase 2

It should be fully understood that the update process that began in 2006 and culminated in this update was not a full Comprehensive Plan process. .

At its outset the process of preparing this update was limited to the commercial areas of the Town and to Economic Development issues. It is the recommendation of this update that a full Comprehensive Plan process be undertaken by the Town within the next several years that begins with full community participation and outreach in Visioning and establishing Goals and Objectives. This Comprehensive Plan should provide recommendations for all geographic areas of the Town subject to future use or development and giving full consideration to all existing and developing Town concerns.

To the extent that Economic Development areas identified herein, remain vacant, obsolete or underutilized and without specific programs for redevelopment, these areas should be included in the Comprehensive Plan Phase 2 and should include clear and substantive recommendations for appropriate uses, sizes, densities, necessary public improvements and required environmental mitigations. Such areas include but are not limited to former Kay Fries (Holt Drive), Beach Road, the former Lovett power plant site, and Letchworth Village.