

## PUBLIC HEARING

On a Proposition to amend the provisions of the Building Zone Ordinance of the Town of Clarkstown to permit a refuse dump when owned or operated by the Town in Business "B" district.

JUNE 23, 1941

Town Clerk's Office

8:00 P. M.

Present: Mr. Eberling  
 Mr. Goebel  
 Mr. Jacobsen  
 Dr. Gilchrest  
 Absent: Mr. Blauvelt

Dr. Gilchrest acted as Chairman of the Hearing in the absence of Mr. Blauvelt. He requested the Town Clerk to read the call of the Hearing.

Mrs. Buchenau read the call of the meeting.

Dr. Gilchrest then invited all those present who wished to speak either for or against the proposed change to express their views.

Mr. Van Dorn of West Nyack asked if there would be a dump owned by Clarkstown.

Mr. Goebel told him that the proposed change meant "owned or supervised".

Mr. Anger of Congers asked why he cannot operate a dump in Congers. He said he planned to fill in the dump with refuse and screenings but no garbage. He said that a petition had been presented by residents near the dump showing they had no objection, and that if the Board planned to create a dump - not owned but supervised by the Town - he would like permission to open such a dump in Congers.

Mr. Polhemus of Nyack indicated that it was his feeling that a dump on the property of Garrett Miller in West Nyack would improve the property, as it would fill in the property and do away with the swamp.

Mr. Van Dorn said he thought it was a good thing to fill in the swamp, and that he was agreeable to the creation of a refuse dump.

Mr. George Heinig of West Nyack said he objected to an incinerator at this time, as we need other things such as water, sewerage,

and a new school more than we need an incinerator. He further pointed out that it would be very difficult to construct it at this time, as the Government needs so much of the material required.

Mr. Hefner of West Nyack said it would cost him \$6.00 more than he is paying at present for the removal of garbage. He said that if an incinerator were built and a garbage district created, the amount of tax he would pay would not be as great. He further said that the proposed ordinance requires him to put out cans and pay someone \$18.00 a year to take the garbage away.

Dr. Gilchrest then advised Mr. Hefner that the Board had never given any permission to raise the price on garbage collection. If they have done it, it was at their own initiative. He further added that in Upper Nyack, people are required to separate the garbage from the refuse, and the collector makes two trips a week to collect it.

Mr. Holt of West Nyack said he was of the same opinion as Mr. Hefner. He added that the people are asked to put up with the inconvenience of separating garbage and pay \$6.00 more for the privilege a year. Mr. Hold said he felt that an incinerator could be built in spite of war problems, and he wanted to know if the Board had looked into the matter of an incinerator. He said he would like to know if the cost is excessively high, or what is the reason why an incinerator is not considered. He wanted to know if the Board could explain a good reason why an incinerator is not practicable or why it can not be supported by the taxpayers. He concluded by saying he had no objection to filling in the West Nyack swamp property.

Mr. Jacobsen, speaking at Dr. Gilchrest's request, told those present that the Supervisor about three months ago brought the matter before the Board, but it was decided to make it a county-wide matter. The Town Law is specific on this matter. The Town Board must be petitioned to have a garbage district created, and it must be put up at a regular election for the vote of the people. It is just our intention to help the garbage men, and they will charge you. We have no figures on an incinerator, nor have any figures been presented by private individuals. This Board has discussed it only informally.

Mr. Holt asked what is making it impossible to get an incinerator outside of no one presenting a petition for one.

Dr. Gilchrest advised that the law provides that an election would have to be held so the taxpayers can vote on it.

Mr. Holt asked why it is necessary to break down the Zoning Ordinance to permit the dumping of garbage when we are able to take care of refuse the way we are taking care of it now.

Mr. Goebel told Mr. Holt that this has just been done to have a dump temporarily until we can have an incinerator. We do not want to continue the dump. Mr. Goebel indicated that he did not favor a township incinerator, and that there are two individuals working on a privately owned incinerator, that will not increase our taxes at all. If this can be worked out, Mr. Goebel said, we will not have to create a garbage district. He said he was personally working on two matters right now, but at present we have no place to dump refuse until we can have a regular arrangement, and it is therefore necessary to amend the zoning ordinance.

Mr. Herdman then told the Board that Mr. Anger has probably the greater portion of Congers in connection with the collection of garbage. Mr. Anger in turn has a dump which he has been using for a long time. The people in the vicinity have no objection to its use. Mr. Herdman said he had no interest in it personally other than where the residents will be obliged to segregate the garbage, tin cans, etc. Mr. Herdman added that if there is no objection to Mr. Anger's continuing to use the dump in Congers which the residents and taxpayers have given their consent to, he would like to have the Board consider the continuance of the dump there. In connection with the public notice which specifies that garbage and refuse cans are to be placed at the curb line, Mr. Herdman asked if it is mandatory or not. He pointed out that there are no curbs but sidewalks in Congers, and that if the can is set on the sidewalk, there would be about one foot to walk on and three feet of can. If Mr. Anger can continue with the dump, everyone will be agreeable, and if anyone objects, Mr. Anger will be willing to cooperate in the disposal of the garbage.

Mr. Anger told the Board that he only wishes to dump refuse in the dump and no garbage.

Mr. Holt said he had no objections to a dump at West Nyack on the Miller property so long as there were no rats. He said he had not particularly noticed it, but that it seemed all right.

As no one else wished to speak, Mr. Eberling moved the Hearing be closed.

Seconded by Mr. Goebel

Carried

Meeting closed.

*John P. Beckerman*  
Town Clerk of Clarkstown