

PUBLIC HEARING

Town Hall

2/9/72

8:30 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzuetllo, Supervisor Vines
Town Attorney Frederick P. Roland
Deputy Town Attorney Martin S. Friedman
Town Clerk Anne E. O'Connor

RE: SPECIAL PERMIT APPLICATION MADE BY NATIONAL MODULAR SYSTEMS, INC.
(SPONSORED BY THE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS
OF AMERICA, LOCAL 964) -- (FOR SENIOR CITIZEN HOUSING):

Supervisor Vines declared public hearing in session; Town Clerk testified as to proper posting and publication of notice of hearing, and receipt of Affidavit of Service of Notice of Hearing from petitioner.

CORRESPONDENCE:

ROCKLAND COUNTY PLANNING BOARD: "...We find that the proposed action would probably not be detrimental to the New York State Thruway. However, inasmuch as North Middletown Road will probably become a County road, we suggest that provisions be made for future road widening."

CLARKSTOWN PLANNING BOARD: Recommendation: "That the request for Special Permit of Middlewood Senior Citizens Housing be granted exclusively as to use, with the requirement that the site layout be subject to review and approval by Planning Board, that the layout meet all criteria of State, Federal and Town requirements (whichever more restrictive) and also the requirements of the Building & Zoning Inspector in advance of Site Layout approval prior to issuance of building permit".

Herschel Greenbaum, Esq., 49 South Main St., Spring Valley, New York, appeared before the Town Board as attorney for petitioner and stated the following:

Applicant proceeded under Senior Citizen clause of Zoning Ordinance. Non-profit enterprise. Tenants must meet certain criteria. Have met Federal Government regulations. Sponsor ready and willing to meet criteria that relate basically to him. Town Board, he stated, must grant this subject to that requirement which is now available, that a certified copy of Certificate of Corporation be submitted to the Board that has been executed. Same has been submitted, both to the Attorney-General's Office for his approval, and the Federal Housing Administrator for his approval.

Sworn In: Mr. William Garelick, 49 Ridge Avenue, Spring Valley, New York.

Presented exhibit; location map showing property. East side of North Middletown Road, contiguous to the Thruway on the southerly portion. Also presented to HUD position of facilities, such as religious, medical, etc.

Re site plan; will keep every growth and undergrowth as much as they possibly can around this proposed project. Buildings will be grouped in the center. Parking will be facing the NY3 Thruway. Parking spaces for 106 cars; 106 one-bedroom dwelling units, specifically designed for elderly. These, he stated, meet all specifications required by HUD.

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(Mr. Garelick - continued):

Exhibit: Building coverage - .83 acres. Two Story Buildings. Three groupings of buildings with a community building in the center, which will house recreation room and community meeting room, kitchen, offices required to run. It will have a library and television.

Exhibit: One bedroom, kitchen, ^{bath} living room and dining area. Adequate closet space throughout. Bars in bathroom and bedroom emergency call system in bath and bedrooms.

Exhibit: Elevation of building: Mansard roofs, walking area; completely landscaped grounds.

Exhibit: Photographs of job completed by him. Design awarded best designed building for elderly - made by HUD last month.

Garelick -- Building 24' high; distance between buildings will be not less than 24'. Will comply with local code. Hopes to start project as soon as possible. It is their aim to have this completely tenanted before the end of the year. 10% of units planned for handicapped (by law). Doors made wider and there are ramps. Community house also will have ramps and doors are wider.

Mr. Greenbaum: Transportation: Within walking distance (bus line). Water Supply - Yes. Waste Disposal - Sewer Line will be available to them. Fire Protection: In Fire District. Has Police Protection. Re Traffic: would not object to giving easements for road widening.

Property fronts on North Middletown Road, which is major road as required under the ordinance.

Re Egress and Ingress to buildings: (Shown from Site Plan) -- Parking, driveway and or walk leading to buildings; sitting area; recreation area. 20' road for exit and entrance. The only point of egress and ingress from site is more than 100' from the nearest street intersection, East New Haven Avenue and North Middletown Road.

Re traffic generated: Very little traffic generated because they discourage the use of automobiles. 106 units; 106 cars - to meet zoning ordinance. Only 50% of the people have cars; we would like to be paved park for 80 cars reserve for 26 so we can leave green area. If we then do not have room, we will come back and build the other 26.

Councilman Lodico: Buildings 22-24' in height. Connecting points, if they are to square, only make 15'. This does not comply with height and depth.

Mr. Greenbaum: Other than the community building, there are three buildings on the site. You could properly get many more units on this acreage, but instead of using our configuration by having low houses. This is one building.

Land coverage; 1.9 acres. Allowable group; 3.46 acres.

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Mr. Greenbaum to Mr. Garelick:

Ordinance requires floor area to be no more than 25% of the entire area. Answer: Would comply.

Two story buildings -- (Answer: Would comply with Zoning Ordinance that would be under 24' in height.)

Recreation Space: Answer: Yes, meets all requirement of Ordinance (10%). Recreation Space 21,200'; community area, 6,400 square feet.

Town Attorney: (To Mr. Greenbaum): Carpenters' Union - Local 954 are Sponsors. If Board decides to issue permit, it will be issued to Carpenters' Union -- not to Modular. Your client has read all provisions of Senior Citizens Ordinance and is prepared to comply? Answer: Yes.

Town Attorney: This Housing Ordinance provides for Senior Citizens Housing only -- NC OTHER -- like low cost housing. If sponsorship granted, it will be utilized for Senior Citizens Housing only.

Planning Board recommends issuance on condition that you return to the Planning Board and process Site Plan Layout after permit is issued.

Mr. Greenbaum: We will.

No further questions from the Town Attorney.

Councilman Lodico: What particular agency would your client file application with. Answer: HUD (Number of Application - #236) In conjunction with the application under 236, we submitted a copy of Zoning Ordinance of the Town of Clarkstown as it relates to this Senior Citizens Housing. We annexed it with a statement that we intend to comply with all the provisions thereof.

No further questions.

IN FAVOR:

Mr. Ray Regan, (Directly across street from proposed project):

Great Need - Carpenters Union doing great service.

Mr. Alan Sproul, Palmer Avenue, Namet: Connection between parking area and Svensson Place, which is now a dead-end street -- is there intention to connect that into Svensson Place and make it a passageway?

Answer: (Mr. Greenbaum): That is a Fire Lane only and is so marked on the Site Plan.

Mr. Sproul: How is it going to be controlled from continual uses. Many children in area. Could be a hazard.

Answer: (Mr. Greenbaum): We are prepared to gate that particular exit so it cannot be used for anything but a fire lane.

Mr. Sproul then stated there would be no objection.

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Town Atty: We have provided for this in the Ordinance (Read section).

No one else appeared at this time as being in favor.

OPPOSED:

Mr. Dominic Famulari, 7 Palmer Avenue, Nanuet: How can you give land away you don't own.

Mr. Greenbaum: We have survey of property by a Registered Engineer of the State of New York - shows property to be exactly as we have presented it. We are prepared to deed to the town land for road widening.

Mrs. Don. Famulari, (same address): Re transportation; we have no sidewalk; within walking distance, but no sidewalk. Re intersection into New Haven; there is none.

Supervisor Vines: He stated ingress and egress 100' from the intersection of New Haven.

Mrs. Famulari - continuing: Re transportation, on North Middletown, we have one-lane highway. It is inadequate now, will there be a second road? Major road North Middletown Road. Which will be the secondary road?

Answer - (Mr. Greenbaum): It says either major or secondary; I have major, which is North Middletown Road.

Mr. Famulari - continuing: We have drainage problem now which has not been alleviated yet. No traffic control; drainage problem; no transportation.

Mr. Donald Williams, 11 New Haven Avenue, Nanuet: Question: How far from Senior Citizen Housing to bus? Answer (Mr. Garelick): HUD has approved it as being within walking distance. Site inspection was made by HUD. It met all criteria with respect to nearness to transportation, shopping, accessibility to houses of worship.

Mr. Williams: (continuing): Is sewer line sufficient to handle (the one put in on Middletown Road)?

Building Inspector: If it does not meet with all requirement, Special Permit will not be granted.

Mr. James Lilly, (Behind subject property): No objection to site -- but concerned for ecology. Re having it finished at end of year -- trees to be torn down.

Mr. Vines: They can only take down those trees which are permitted. We enforce Shade Tree Ordinance.

Mr. Ray McDonald, Svensson Place: If granted, during the period of construction, will there be any construction equipment moving on Palmer or Svensson. Answer: No.

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Mr. Steve Marcus (Property facing Thruway and adjoining subject property):
24 Svensson Place, Nanuet:

Question: Parking place alongside his property?

Answer: In easterly line, 120' buffer.

Mr. Marcus: If you delete 26 spaces, could you do it along easterly line?

Answer: We would prefer to delete 50.

Mr. Marcus stated parking is shown almost adjacent to his property. (20'). He was informed that the Planning Board will require screening trees, in order to protect neighborhood. Thirty to Forty Thousand Dollars worth of landscaping being put in. Re noise; Mr. Marcus was told by the Town Board that they would watch.

Mr. Marcus requested that if deletion is made, to make it closer to homes along Svensson.

Councilman Niehaus: Re Fire Lane (To Building Inspector): Is there any objection to having a gate across a Fire Lane?

Building Inspector: Wooden type gate similar to railroad gate that could be activated by vehicle from Fire Department that would activate gate. (It should be a simple gate -- it is a low type gate -- but it is opened by a radio transmitter that would be on the emergency vehicle that would be responding -- Nanuet Fire Department).

Mr. Steffens: (Lederle). Fire Company from Pearl River asked us if we could put a lock on the gate and furnish them with a key; and if they have a fire, they open the gate.

Law requires Fire Gate.

Resident, 27 Palmer Avenue, Nanuet: What is definition of Senior Citizen?
Answer: (Town Attorney): Person having attained the age of 60 years; resident for five years.

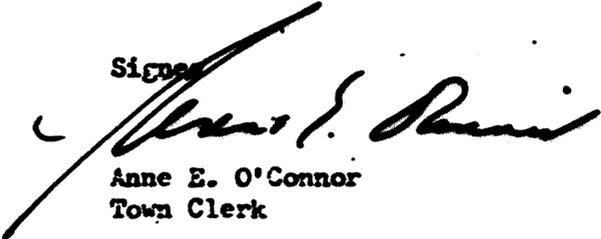
OPPOSED:

Mr. William Wegman, 14 Palmer Avenue, Nanuet: Distance from our property on north side?

Mr. Garelick: They will not be close; green belt faces Palmer Avenue.

No one else wishing to appear, on resolution offered by Councilman D'Antoni, seconded by Councilman Niehaus, and unanimously adopted, public hearing was closed.

Signer


Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

2/9/72

8:00 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Attorney and Deputy Town Attorney
Town Clerk Anne E. O'Connor

Supervisor Vines called Town Board Meeting to order;
assemblage saluted the flag.

(1972-170) Councilman Niehaus offered the following resolution:

RESOLVED, that time for receiving bids for the furnishing
of One (1) High-Velocity Sewer Cleaner and Truck (Flusher Type Truck)
1972 Model, is closed, and be it

FURTHER RESOLVED, that any and all bids received up to and
including this time be opened.

Seconded by Councilman D'Antoni.

All voted Aye.

The following bids were received:

FARMERS AUTO & EQUIPMENT EXCHANGE	
375 Route 17, Mahwah, New Jersey.....	\$16,879.87
E. I. KLEIBENSTEIN CO.	
1099 Hendricks Causeway, Ridgefield, New Jersey.....	\$15,495.00

(1972-171) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on award of bid for furnishing of one
high velocity sewer cleaner and truck (flusher type), be reserved and be it

FURTHER RESOLVED, that all bids received be turned over to the
Town Engineer for his recommendation.

Seconded by Councilman D'Antoni.

All voted Aye.

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(1972-172) Councilman D'Antoni offered the following resolution:

RESOLVED, that the bid for the Hauling of Screening and/or Fill to the Clarkstown Sanitary Fill Area be awarded to Kenneth Matero, 65 Green Road, West Nyack, New York, at a cost to the town not to exceed \$.49 per yard.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-173) Councilman D'Antoni offered the following resolution:

RESOLVED, that the award of the bid for May Place Drainage Improvement be made to the low bidder, Ufheil Construction Co., Inc., 178 River Road, New Milford, New Jersey, at a cost to the town of \$28,700.00, to be charged against DRAINAGE ACCOUNT.

Seconded by Councilman Lodico.

All voted Aye.

(1972-174) Councilman D'Antoni offered the following resolution:

RESOLVED, that the award of the bid for Deerfoot Lane Drainage Improvement be made to the low bidder, Ufheil Construction Co., Inc., 178 River Road, New Milford, New Jersey, at a cost to the town of \$15,741.00, to be charged against DRAINAGE ACCOUNT.

Seconded by Councilman Lodico

All voted Aye

Proposed resolution awarding bid for Crum Creek Drainage Improvement -- deferred.

(1972-175) Councilman Pizzutello offered the following resolution:

WHEREAS, the Town Board by Resolution #591 of 8/21/68 authorized Seymour Gurlitz to obtain topographical surveys and test borings of the site for the addition to the Town Hall, and

WHEREAS, Seymour Gurlitz has advertised for and received bids for the test borings of the addition to the Town Hall,

NOW THEREFORE, be it

RESOLVED, that Rockland Drilling and Testing Laboratory Corporation, 36 Greywood Drive, Orangeburg, New York be, and is hereby awarded the bid for test borings at a cost of

- a. Item #1 - \$100.00
- b. Item #2 - 5.05 per linear foot
- c. Item #3 - 8.35 per linear foot

and be it

FURTHER RESOLVED, that the sum of \$2,000.00 for test borings be transferred from Current Surplus-General to Town Hall Building Site Account in order to pay for said borings, and be it

FURTHER RESOLVED, that the Town Comptroller keep adequate records of said diversion of surplus so that it may be compensated from the Bonds Sales authorized to construct said addition.

Seconded by Councilman Niehaus.

All voted Aye.

Proposed resolution authorizing Town Board to retain Drainage Consultant -- deferred.

(1972-176) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board feels that a complete full value reassessment be undertaken by the Town of Clarkstown and

WHEREAS, the Town Board has met with various firms regarding a reassessment program, and

(continued)

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(1972-176 - continued)

WHEREAS, George Mellersten, Town Assessor, has recommended that a reappraisal be undertaken at an early date,

NOW THEREFORE, be it

RESOLVED, that upon the recommendation of George K. Mellersten, Assessor, that the North American Revaluation Company, East 210 Route 4, Paramus, New Jersey, be retained for the purpose of conducting a full value reassessment of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute a contract with the North American Revaluation Company at a contract cost of \$158,500.00, and be it

FURTHER RESOLVED, that the Town Attorney secure the necessary bonding resolution to cover the cost of reappraisal.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-177) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board, by resolution #208 of March 31, 1971, authorized the sum of \$2,000.00 upon the recommendation of the Superintendent of Highways, to extend the parking lot a Prospect Street, Manast, N Y, and

WHEREAS, vouchers received on January 19, 1972, by the Town Comptroller's Office from the Highway Department show a total expenditure of \$3,905.00,

NOW THEREFORE, be it

RESOLVED that the sum of \$1,905.00 be transferred from CURRENT SURPLUS-GENERAL to cover vouchers submitted by the Superintendent of Highways to cover vouchers submitted by the Superintendent of Highways for the parking lot, Prospect Street, Manast, New York.

Seconded by Councilman Pizzutello.

All voted Aye.

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(1972-178) Councilman Lodico offered the following resolution:

RESOLVED, that the Superintendent of Parks Board and Recreation is hereby authorized to attend the first year of Revenue Sources Management School to be held at Wheeling, West Virginia, from March 12th, 1972 through March 16th, 1972, and be it

FURTHER RESOLVED, that all necessary and actual expenses become a proper Town charge.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-179) Councilman Niehaus offered the following resolution:

WHEREAS, there is a vacancy in the position of Custodian (night hours),

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment, not to exceed thirty days, of JAMES SHERIDAN, 52 South Conger Avenue, Congers, New York to the position of Custodian - Town Hall, at a salary of \$7,671.40 per annum, effective immediately.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-180) Councilman D'Antoni offered the following resolution:

WHEREAS, there is a vacancy in the position of Custodian (night hours),

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment, not to exceed thirty days, of KENNETH PATRAKA, Pidgeon Hill Road, Nanuet, New York, to the position of Custodian - Town Hall, at a salary of \$7,671.40 per annum, effective immediately.

Seconded by Councilman Pizzutello.

All voted Aye.

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(1972-181) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic Advisory Board, the Superintendent of Highways is hereby authorized to install "NO PARKING" signs on the south side of Parkside Drive from Kings Highway to the westerly boundary of Kings Highway Park.

Seconded by Councilman Pizzutello.

All voted Aye.

Proposed resolution - appointment - Assessor's Office -- deferred.

(1972-182) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids for Athletic Equipment and Supplies; said bids to be returnable on March 1st, 1972 at 8:10 PM, and be it

FURTHER RESOLVED, that specifications can be obtained at the office of the Superintendent of Parks and Recreation, 151 South Main St., New City, New York.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-183) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for Weekly Senior Citizen Transportation for the period April 1st, 1972 through March 31st, 1973; said bids to be returnable on March 1st, 1972 at 8:12 PM, and be it

FURTHER RESOLVED, that specifications can be obtained at the Office of the Superintendent of Recreation and Parks, 151 South Main St., New City, New York.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-184) Councilman D'Antoni offered the following resolution:

WHEREAS, an action has been instituted against the Town of Clarkstown entitled as follows:

ST. AGNES CONVENT a/k/a ST. AGNES HOME & SCHOOL FOR CHILDREN, AND THE DOMINICAN CONVENT OF OUR LADY OF THE ROSARY, Plaintiff,

-against-

ROBERT H. BOWMAN, as Building and Zoning Inspector of the Town of Clarkstown, THE ZONING BOARD OF APPEALS, and the TOWN BOARD OF THE TOWN OF CLARKSTOWN,

Defendants,

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-185) Councilman Niehaus offered the following resolution:

RESOLVED, that Town Board meeting be adjourned in order to hold scheduled public hearings.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-186) Councilman D'Antoni offered the following resolution:

RESOLVED, that Town Board meeting be resumed, scheduled public hearings having been heard.

Seconded by Councilman Lodico

All voted Aye.

Due to Court Order, public hearing scheduled for 2/9/72 at 8:15 PM "Public Hearing to hear objections to apportionment and assessment roll for Sanitary Sewer Districts - 1972"; -- not held.

(1972-187) Councilman D'Antoni offered the following resolution:

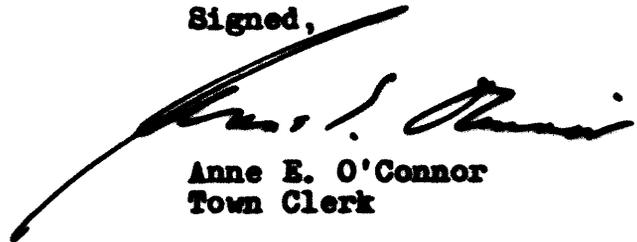
RESOLVED, that decision on special Permit Application made by National Modular Systems, Inc. (sponsored by United Brotherhood of Carpenters & Joiners of America - Local 964 - Senior Citizen Housing) be RESERVED.

Seconded by Councilman Niehaus.

All voted Aye.

On resolution offered by Councilman Niehaus, seconded by Councilman D'Antoni and unanimously adopted, Town Board meeting was adjourned until next Wednesday, 2/16/72 at 8:00 PM, at which time regularly scheduled Town Board Meeting will be held in the Board Room at the Town Hall.

Signed,



Anne E. O'Connor
Town Clerk