

TOWN OF CLARKSTOWN  
SPECIAL MEETING, MASTER PLAN (WEST NYACK)

Town Hall

5/16/83

8:05 P.M.

Present: Supervisor Dusanenko  
Councilman Carey, Holbrook, Lettre arrived at 8:20 P.M.,  
Maloney - absent  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

Supervisor Dusanenko declared Town Board Meeting open;  
assemblage saluted the Flag.

RE: ZONING AMENDMENTS RE: MASTER PLAN - HAMLET OF WEST NYACK, NEW YORK

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared open; Town Clerk, Patricia Sheridan read notice calling Public Hearing. The Town Attorney testified as to proper posting and publication. The Town Attorney said there was a letter from the Rockland County Planning Board addressed to the Town Board re: Zone changes and official map amendments in the Hamlet of West Nyack. All items reviewed with the exception of item 50 which is not within the jurisdiction of the Rockland County Planning Board. Rockland County Planning Board reviewed same at its meeting of April 19, 1983 and recommends approval. Signed by the Rockland County Planning Board, Aaron D. Fried, Planning Director.

Supervisor Dusanenko called upon Mr. Robert Geneslaw to make the presentation and to explain the changes and the rationale and then public participation will follow.

Mr. Geneslaw said that the Planning Board adopted a Master Plan in 1967 and that was intended to indicate the policy that the Planning Board would like to see the Town take with respect to whatever development took place in the Town; the type of development; the location of development and the intensity of development and it was intended as a long term guide for the Town of Clarkstown. Because the Town was growing very quickly in 1971 that Plan was updated and a number of changes were made. In a fast growing Town, changes have to be made periodically because development occurs, conditions change, land is used for one purpose or another, sometimes consistent with the Plan, sometimes not. It is essential that the Town be aware of what kinds of things are happening. The Planning Board began again to update the Master Plan about five years ago and tonight's meeting is one of the end products of that updating process. Two changes were made to the Master Plan between 1971 and now effect West Nyack. Both are road proposals. The first of them was primarily affecting Valley Cottage but it would have an effect on West Nyack as it was nearby. That called for a new east-west road north of Route 59. It would have started west of Pascack; come easterly across Germonds; crossing the PIP; Church Road on 304; Germonds, extending east to the reservoir; crossing the reservoir and the new causeway and meeting Old Mill Road in Valley Cottage. It would have been a very direct east-west road through the Town. The Planning Board decided that a road like that was no longer appropriate and it was removed from the Plan. The reasons had to do with environmental problems, crossing the reservoir, cost problems and the impact that it would have had on the communities it passed through. We also found that starting in '73 with the gas crisis, people did less travelling by car.

The second road proposal would have affected West Nyack even more directly. The earlier Plan called for an extension of Townline Road across Sickletown through the wet land, across the railroad track to Route 303. Looking at that in the late seventies, the Planning Board felt that given the amount of industrial and office development taking place in Orangetown in that same general area that this road would have become a major by-pass to Route 59 from 303 to Route 304. It would have carried substantial amount of non-residential traffic to what is really a residential area along Townline Road and the Planning Board decided that ~~too~~ no longer belonged in the Plan and it was removed.

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Those are two examples of non-zoning items that affected the Plan and that the Planning Board removed before adopting the revised Plan. A third road proposal was added to the Plan and we'll get to that at the 9:00 o'clock hearing. The Town Board asked the Planning Board to begin making specific recommendations for zoning changes and the Town Board requested that the Planning Board restrict itself first to those zone changes that involved zones that already exist in the Clarkstown ordinance. There is a whole separate category of zone changes that the Planning Board will be working on over the next several months. Those will involve new zones that do not yet exist. Some of them are being drafted by staff. They are not ready for consideration by the Town Board yet. Tonight we are dealing with zoning changes that involve zones already existing within the Town's ordinance. The kind of zoning changes we are talking about in West Nyack are quite limited and they primarily affect two kinds of categories. One is what is already on the property is not consistent with the zoning and the other may be consistent with the zoning or inconsistent with the zoning but a change was felt to be appropriate in order to protect surrounding property.

(At this point Co. Lettre joined the meeting - 8:20 P.M.)

Item 47 (L10) is recommended to be changed to professional office. First designation is what the property is now and the second one is what the recommendation is. That should be the south end of Rose Road between Rose Road and Route 59. It's owned by New York State Department of Transportation. It's currently vacant. As a practical matter, this zone change would have very little effect because we don't expect the State to dispose of the property. However, we're making a similar recommendation on item 48 on the north side of Rose Road and we felt it would be consistent to remove the L10 designation from both of them. So in both cases we are recommending a change to professional office. On the north side of Rose Road on item 48, Good-Vue has its dish antenna and there are two office buildings. The change to professional office is a little more consistent with what is actually going on with the developed properties and the zoning in the terms of the lot area that's required is a little more consistent with the actual size of the property. The Planning Board considered a number of other potential changes and decided not to recommend them. That's why we're skipping some numbers as we go through the series. Those are items that the Planning Board decided not to recommend any action to the Town Board.

Item 49 is at the intersection of Rose Road and West Nyack Road. There are three homes - a barn, a gun shop and a vacant property that would be affected. On the west side of Rose Road, the two homes are now zoned for light industrial office. We are recommending they be changed to R-15. Single family homes are on one third acre lots. The same zoning is for the entire area to the south along the same side of Rose Road. What we are saying now is to change the zoning to be consistent with what's already in the area and to be consistent with what's already on the property. On the east side of Rose Road, there is a house, a barn, a gun shop and a vacant property. We are suggesting that the house be changed to R-15 to be consistent with the ones below and that property fronting on west Nyack Road be changed from light industrial office to professional office. This would allow offices without things like warehouses and light manufacturing. It would also allow development or the use of those parcels at something closer to their actual size. For someone who owns one of those properties and is concerned about what might happen if their doing something that wouldn't fit what we're proposing then if what's there continues, it's not effective. For example: The Gun Shop does not conform to the professional office zone but it doesn't conform to the light industrial office either. It's non-conforming at the present time and it would remain non-conforming in the future. If it were terminated for more than a year then it would have to conform to the zoning that applies to the property. It could be sold and as long as it continues, it

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would not be affected. In that kind of situation, it would take place only if the use of the property was terminated for more than a year.

Item 50 involves the change of five parcels from professional office to R-15. If you look at the surrounding area to the east, you can see that's all zoned R-15. Almost all of them are single family homes with an occasional two family house. The area that we are recommending for a change has two single family houses; a vacant parcel that was just approved by the Board of Appeals for two family; the glass shop and a small apartment development. The R-15 would be more consistent with the buildings that are actually there as well as with the neighborhood to the east than the professional office zoning.

Item 52 is on the south side of West Nyack Road. A little bit west of Sickletown. It includes a doctor's office, a house and a house used as a sign shop. The zoning there is local shopping and what we are suggesting there is that instead of having potential local shopping extending that far beyond the corner of Alicia to what is now the doctor's office that be changed to R-15 again to be consistent with what is around it and to prevent retailing spreading further west on West Nyack Road. That's due to the width of the road; to the neighborhood character of the area and it's due to the slope.

Item 54 is the exception to the two general categories that I gave at the beginning. We're suggesting that they change from R-15 to R-40. That's a change of single family homes on third acre lots to single family homes on one acre lots. That property is owned by the Spring Valley Water Company. It's just to the east of Jeffrey Court. It does not include the houses on Jeffrey Court and because most of that area is quite wet, we feel that it is appropriate to change it so that there is less potential for development. We may say, the Water Company owns that so what's the problem. They may never come in for development for that property, however, they do occasionally apply for development approval on properties that they own. Several years ago they applied for approval of a property almost abutting this. They withdrew the application before the Town acted but there is a possibility that that will happen and our feeling is that any development that takes place there should be on larger lots so that we can better account for the wet land situation.

Those are all of the zone changes that are subject to the hearing tonight. I will now turn the meeting over to the Supervisor for questions and comments that you may now have.

In answer to an inquiry from the floor Mr. Geneslaw read from the Code Book the explanation of L10 and P0.

Appearance: Marie Merla  
Rose Road  
West Nyack, NY

Item 47-48: Mrs. Merla said she lives right next door to the big dish and her lot number is 17.02. She said her property is devaluating and it should not be L10 or P0 but should be R-15. She was also concerned about her baby's safety with all the traffic.

Appearance: Mary Romaine  
243 W. Nyack Road  
West Nyack, NY

Item 49: Mrs. Romaine said she is on lot 7 and has been there for 20 years. She has watched the L10 buildup and the whole area change. She has seen increased traffic due to the L10 buildup, St. Regis, Prentice Hall and by the people that cut through from the Palisades Parkway. She said they had put an addition on to their house and they could not build because of the L10 zoning and the fact that they were residential. They had to go to the Zoning Board of Appeals to go closer to their neighbors lot.

However, rather than go to the expense we went by the rules of the business L10 zoning. If we do go to the R-15 zoning, how is it going to affect us on our assessment and how is it going to affect us on our selling? We plan to stay where we are for a few more years. We're concerned about who will want to buy our property when we are across the street from L10. We have a great deal of drainage problems created by the property across the street. She said she was worried about the property being saleable.

Mr. Geneslaw said he thought the property would be easier to get a mortgage if it were R-15.

Mrs. Romaine asked if the property that is adjacent to both 7 and 7.01 which would be in a westerly direction that would be in the Nanuet area wanted to know what this was going to be zoned for.

Mr. Geneslaw said at present it is L10 and there are no plans to change it.

Mrs. Romaine said the whole area is being surrounded by heavy business. If the property adjacent to the 7.01 were rezoned perhaps another type rather than the L10, I might go along with the R-15 but as it is right now if this property remains in an L10, I resent going to an R-15.

Appearance: Bill Lewer

Mr. Lewer said he was on Lot 14 on Rose Road. He said he bought the house because it was zoned for L10. He felt that L10 was consistent with everything that was on West Nyack Road. Although his house faces Rose Road he considers it more West Nyack Road. They were wondering about that piece of property that is considered Nanuet, if there were proposals to change that. At least this way we would have 59 and Rose Road between us and we would have a little residential section that would be staying residential. I think it would be consistent with cutting in that whole westerly side of West Nyack.

Appearance: Lewis Gould

Item 50: Mr. Gould said this is a triangular property. It's not a normally laid out property where you would be able to build a house. There are two major roads, West Nyack Road and Demarest Road. Immediately west on the map is St. Regis, the Water Company, Good-Vue Cable TV, etc and that created a tremendous amount of traffic on that one road. Additionally, on that property is the bus stop. If you look at that property in the very front where it says glass shop, it comes to a zero point. Which means that if you build an R-15 house there it might be very difficult considering that you might have 6,000 cars on one side. The other side is a feeder road into that and you have a bus stop. It would be very difficult to build any sort of residential property. If you put sidewalks in, the property would become unusually thin. It's been that way since 1854 so no one was surprised by moving up there and finding commercial property. There was a blacksmith shop at the time so that anyone coming up there knew it was always commercial. If you rezone this, you've made the property not only useless but non-existent. You've created a real hazard for anyone that wants to live there. At the present time, it acts as a buffer and it quiets the traffic because the building fronts on both sides. Most recently, it was a gas station; an antique store; it was a Post Office and it was a barn and what we've done we're using the land for the best use we can. It has offices and a little glass shop with 250 square feet in the front. It's not a retail business and it would be impossible to utilize it any other way. It's consistent with everything on the west side that is commercial. He said he saw an advertisement in the newspaper that said Supervisor welcomes industry. In the past two years, we've created only six jobs in Clarkstown but that's six more considering the economy. What your

doing is making it unwise and unhealthy for businessmen. I bought this as an appreciative broken down building. I've managed to improve it and I think in this case I don't look east, I look west.

A resident asked about the original proposal to change item 48 LIO to PO. Where did that generate from? Did it generate from the people that own the property or did it generate from the Town?

Mr. Geneslaw answered all of the changes that are before the Board tonight came out of the process that we went through with the Planning Board over a period of about three years. Specifically there was no request by the owner - there was no discussion with the owner - about any of the items in 48. In fact there was no discussion with any of the owners on any of the items that are on the agenda by me, the owners, and I don't believe the Planning Board discussed any of them with the owners.

Appearance: Phil Bosco

Mr. Bosco inquired as to what had become of the original document from the Planning Board.

Mr. Geneslaw said there were about 70 areas around the Town adopted in the '81 Master Plan which were reviewed and the following proposals were now being submitted to the Town Board.

Supervisor Dusanenko asked if there was anyone further wishing to be heard.

No one appeared.

On motion of Councilman Lettre, seconded by Councilman Holbrook and unanimously adopted the Public Hearing was closed, and Special Town Board Meeting opened, time: 8:55 P.M.

RESOLUTION NO. (469-1983) FAILED	CHANGING FROM LIO TO PO AN AREA WEST OF ROSE ROAD AND NORTH OF ROUTE 59 AFFECTING PARCELS DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 32-1, BLOCK A, LOTS 18, 18.01, 18.02 AND 18.03 AND AN AREA WITHOUT A TAX DESIGNATION ADJACENT TO LOT 18.01 WHICH IS PART OF THE ROUTE 59 CLOVERLEAF.
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Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 22nd day of March, 1983, provided for a public hearing on the 16th day of May, 1983, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Zoning Ordinance of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of West Nyack, and

WHEREAS, notice of the public hearing was published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and hereby is amended as follows:

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RESOLUTION NO. (469-1983) Continued

Change from L10 to P0 an area west of Rose Road and north of Route 59 affecting parcels designated on the Clarkstown Tax Map as Map 32-1, Block A, Lots 18, 18.01, 18.02 and 18.03 and an area without a tax designation adjacent to Lot 18.01 which is part of the Route 59 Cloverleaf.

Shown as Item Nos. 47 and 48 on maps on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York.

Seconded by Co. Carey

On roll call the vote was as follows:

Supervisor Dusanenko ..... No  
Councilman Carey ..... Yes  
Councilman Holbrook ..... Yes  
Councilman Lettre..... No

Co. Lettre stated that based on the sentiment of the neighbor who was the only one that gave any direct input into this, I would vote to leave it in the existing zone and so I vote no.

Supervisor Dusanenko said he concurs with Councilman Lettre and votes no with the same remarks.

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RESOLUTION NO. (470-1983)

CHANGE FROM L10 TO P0 PARCELS DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 51, BLOCK A, LOT 15, 13.01 AND THE NORTHWEST PORTION OF LANDS BELONGING TO PALISADES INTER-STATE PARKWAY COMMISSION WHERE THEY ABUT WEST NYACK ROAD (ROUTE 59-A).

Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 22nd day of March, 1983, provided for a public hearing on the 16th day of May, 1983, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Zoning Ordinance of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of West Nyack, and

WHEREAS, notice of the public hearing was published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and hereby is amended as follows:

Item 49 (L10 to P0)

Change from L10 to P0 parcels designated on the Clarkstown Tax Map as Map 51, Block A, Lot 15, 13.01 and the northwest portion of lands belonging to Palisades Interstate Parkway Commission where they abut West Nyack Road (Route 59-A).

Shown as Item No. 49 L10 to P0 on maps on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York.

The Board was in agreement to reserve decision on the three residences and implement only the second part of 49 which is the L10 to P0.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (471-1983)

CHANGE FROM PO TO R-15 AN AREA ON THE NORTH SIDE OF ROUTE 59-A (WEST NYACK ROAD) AT OR NEAR ITS INTERSECTION OF DEMAREST AVENUE AFFECTING PARCELS DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 52, BLOCK A, LOTS 14, 14.01, 15, 16

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 22nd day of March, 1983, provided for a public hearing on the 16th day of May, 1983, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Zoning Ordinance of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of West Nyack, and

WHEREAS, notice of the public hearing was published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and hereby is amended as follows:

Item 50 Change from PO to R-15 an area on the north side of Route 59-A (West Nyack Road) at or near its intersection of Demarest Avenue affecting parcels designated on the Clarkstown Tax Map as Map 52, Block A, Lots 14, 14.01, 15, 16.

Shown as Item No. 50 on maps on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York.

It was decided by the Board to delete lot 38 which is on our map referred to as the glass shop.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (472-1983)

CHANGE FROM LS TO R-15 AN AREA EAST OF THE WEST NYACK ELEMENTARY SCHOOL AFFECTING PARCELS DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 71, BLOCK B, LOTS 4.03, 8, THE WESTERN PORTION OF LOT 2, AND THE NORTHWESTERN PORTION OF LOT 4.13 ADJACENT TO ALICIA COURT AT OR NEAR ITS INTERSECTION WITH WEST NYACK ROAD (ROUTE 59-A).

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 22nd day of March, 1983, provided for a public hearing on the 16th day of May, 1983, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Zoning Ordinance of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of West Nyack, and

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RESOLUTION NO. (472-1983) Continued

WHEREAS, notice of the public hearing was published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and hereby is amended as follows:

Item 52 Change from LS to R-15 an area east of the West Nyack Elementary School affecting parcels designated on the Clarkstown Tax Map as Map 71, Block B, Lots 4.03, 8, the western portion of Lot 2, and the northwestern portion of Lot 4.13 adjacent to Alicia Court at or near its intersection with West Nyack Road (Route 59-A).

Shown as Item No. 52 on maps on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York.

Seconded by Co. Carey

All voted Aye.

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RESOLUTION NO. (473-1983)

CHANGE FROM R-15 TO R-40 AN AREA EAST OF THE RESIDENTIAL PROPERTIES FRONTING ON JEFFREY COURT AFFECTING PARCELS DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 90, BLOCK A, LOTS 14 and 14.30 AND THE NORTHERN PORTION OF THE LOT DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 72, BLOCK A, LOT 11.01 AND ADJACENT NEW YORK STATE THRUWAY PROPERTY TO THE SOUTH

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 22nd day of March, 1983, provided for a public hearing on the 16th day of May, 1983, at 8:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the Zoning Ordinance of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of West Nyack, and

WHEREAS, notice of the public hearing was published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and hereby is amended as follows:

ITEM 54 Change from R-15 to R-40 an area east of the residential properties fronting on Jeffrey Court affecting parcels designated on the Clarkstown Tax Map as Map 90, Block A, Lots 14 and 14.30 and the northern portion of the lot designated on the Clarkstown Tax Map as Map 72, Block A., Lot 11.01 and adjacent New York State Thruway property to the south.

Shown as Item No. 54 on maps on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York.

Seconded by Co. Carey

All voted Aye.

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Supervisor Dusanenko summarized the zone changes as follows: Item 47 was defeated. Item 49 remained status quo and the first portion had a reserved decision and additional input at a future date will be made by Mr. Geneslaw. The second part changing the three properties on this map from L10 to P0 has been approved. Item 50 has been adopted minus all but lot 38 the glass shop. Item 52 has been implemented in its entirety and 54 was implemented in its entirety.

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At this point the public hearing was declared closed,  
time: 9:00 P.M.

Respectfully submitted,

*Patricia Sheridan*

PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN

Town Hall

5/16/83

9:05 P.M.

Present: Supervisor Dusanenko  
Councilman Carey, Holbrook, Lettre arrived at 8:20 P.M.,  
Maloney - absent  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

RE: PROPOSED AMENDMENTS TO THE OFFICIAL MAP -- MASTER PLAN -  
HAMLET OF WEST NYACK, NEW YORK

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On motion of Councilman Holbrook, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared open; Town Clerk, Patricia Sheridan read notice calling Public Hearing. The Town Attorney testified as to proper posting and publication and said there is in the Town Attorney's office a copy of a letter from the Rockland County Planning Board dated April 25, 1983 addressed to the Town Board re: zone changes and official map amendments in the Hamlet of West Nyack. The Rockland County Planning Board reviewed the above items at its meeting of April 19, 1983 and approved. Signed by the Rockland County Planning Board, Aaron D. Fried, Planning Director.

Supervisor Dusanenko asked Mr. Robert Geneslaw to explain the rationale for this road.

Mr. Geneslaw said that the Planning Board had taken two roads off the Master Plan that they had previously recommended back in the early seventies. As part of the process of looking at the road pattern, the Board felt that it was appropriate to add a road to the Master Plan and that's the one that is the subject of the Public Hearing tonight. Specifically, the Public Hearing is to add the road to the official map of the Town. The official map is to show what the Town's policy is with respect to roads. Many of the roads that are shown on the official map are local roads within the Town but are improved by developers as they are building subdivisions. If they don't improve it, they generally give a widening strip to the Town so that whenever the construction is to take place, the Town will not have to acquire the right of way. That happens in a subdivision at the time of development. What we have tonight is a somewhat different situation. The recommendation to the Town Board is that a road be shown on the official map with no schedule for construction and no detailed engineering drawings at this time. The road would go from West Nyack Road to Route 59. It would meet Route 59 approximately where Brookhill Road meets Route 59 or slightly to the east. We anticipate that it will be on the easterly side of the berm behind the homes on the easterly side of Bull Run. In other words, it will be Bull Run, residential property, the berm, then the road and then Prentice Hall. The exact location, the exact alignment, the exact nature of the connection with 59 and with West Nyack Road has not yet been determined. Obviously Route 59 is a state highway and we must get approval from the State of New York on the design. They have indicated a general willingness to go along with it. The purpose of the road is to move some of the nonresidential traffic from West Nyack Road to Route 59. If the road were in place now, it would be used by St Regis employees substantially. It would also be used by people visiting Prentiss Hall. It would be used by people visiting the subdivision to the west. It would be used by some other people who find it an easier way to get from West Nyack Road to Route 59 depending upon their particular origin and destination. When the Town first began to review the St. Regis plans, the community living immediately west of Prentiss Hall was very concerned about traffic cutting through their subdivision. The Town tried as much as possible to develop an approvable plan for St. Regis that would minimize that. This road was part of the proposal at that time. Unfortunately, it could not be carried out. We are hopeful that at some point in the future provision can be made for the road. I stress right now that the action that is before the Town Board is to place it on the official map - not to program it for construction; not to acquire any land and not to make a budget allocation for it. Simply to demonstrate as Town policy that some point in the future there should be

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a road in that approximate location.

Supervisor Dusanenko commented that there is no exact location for this road. It will not run through exactly straight as it is on the map. Prentiss Hall, at its own expense, wanted to build such a through road. The people in that area on Parkway, Spruce and perhaps Bull Run did not want a road in that particular vicinity. Prentiss Hall as a good neighbor decided not to do it and eventually sold some land or transferred some land with St. Regis. Prentiss Hall now objects to building a road as it is not beneficial as their privacy and security would be impaired. In order to go into a three party agreement with St. Regis, Prentiss Hall and the Town of Clarkstown, there would be no traffic light on Route 59 for them to safely cross that median. The State of New York stated that a traffic light at that location would not be recommended according to the safety warrants of New York State manual at the present time because it's too close to the entrance and exit ramps of the PIP which lies immediately west. If they could get a traffic light on Route 59 on that divided highway, then maybe it would be worthwhile for them to make such an expenditure and make the modifications. For without that traffic light, we can only exit westerly off Brookside Drive. If the Town were to put this on the map, all this would mean is that perhaps St. Regis or Prentiss Hall, as a neighbor, maybe they would have some ideas for the future and perhaps some trading could be done for mutual benefit to have a road in this vicinity if not at this exact location. Now it seems to be from their feelings, not productive for their purposes.

Supervisor Dusanenko read the following letter from Fury & Kennedy on behalf of Prentice Hall into the record:

"May 12, 1983

FROM: Fury & Kennedy  
Attorney's At Law  
Bank of New York Building  
4 North Main Street  
Pearl River, NY 10965

TO: Hon. Theodore R. Dusanenko  
Supervisor  
Town of Clarkstown  
10 Maple Avenue  
New City, New York 10956

Re: Proposed Master Plan for  
Hamlet of West Nyack

Dear Mr. Dusanenko:

On behalf of Prentice Hall, Inc., Route 9W, Englewood Cliffs, New Jersey 07632, we wish to offer the following comments for Prentice Hall with respect to the north/south road proposed for construction through the property of Prentice Hall located on the North side of Route 59 at Brookhill Drive in West Nyack, New York. The road under consideration is proposed for construction through the westerly portion of the Prentice Hall property and will utilize a portion of the existing Prentice Hall driveway.

First, we wish to state that it is our understanding from our conversations with Robert Geneslaw, planning consultant for the Town of Clarkstown, that there is no immediate plan to construct the road in question. Accordingly, if this is correct, we wish to offer the observation that there is no reason to place this road on the proposed new map at this time and to thereby encumber inequitably the property owned by Prentice Hall on Route 59. We submit that it

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will be much fairer to all parties concerned to deal with the subject of this road at a later date when construction of the road is to become a reality. Accordingly, we recommend that the proposed new map eliminate any reference to the proposed road at this time.

Second, Prentice Hall wishes to state that it is not opposed to the concept of a road linking Route 59 and Route 59A. Prentice Hall proposes, however, that the final location of this road cannot and should not be fixed until serious consideration is given to the several factors which are raised in this letter.

The Prentice Hall property is unique in that its useful frontage on Route 59 is limited by the circumstance that a steep grade separates the property from Route 59 as the property runs easterly from the intersection of Route 59 and Brookhill Drive. The useful frontage of the property is limited to approximately 175 feet. At the present time, the company has an existing sign located in proximity to the Brookhill Drive intersection which makes it possible for persons driving westerly on Route 59 to read the sign and to utilize the existing entrance to the Prentice Hall property through the Brookhill Drive curb cut.

The location of the new north/south road as presently proposed will be injurious to Prentice Hall for several reasons. The first of these is the fact that the road will interfere with the privacy of the company as it presently exists and will affect adversely the security of the existing buildings. Additionally, the present proposed road lay-out will eliminate approximately 35 parking spaces. Of great importance is the fact that any proposal to run the new north/south road into Route 59 by eliminating the present Brookhill Drive curb cut will reduce the existing road frontage of Prentice Hall on Route 59 by approximately 135 feet and will render the existing Prentice Hall sign useless for the reason that it will place the existing sign beyond the point of the proposed new curb cut. Moving the sign further eastward will be no solution to the problem for the reason that the sign will not be visible to west-bound drivers owing to the steep grade between the balance of the property of Prentice Hall fronting on Route 59.

In our opinion, the location of the proposed north/south road cannot be fixed without serious consideration of the following factors:

1. The element of the esthetics of the road location vis a vis the existing building locations must be considered. In an attractive industrial complex such as we see, for example, in Montvale, New Jersey, the attractiveness of industrial buildings is enhanced by the degree of space and lawn which exists between the highway and the building structures. The proposed new road should be located a maximum distance from the location of existing Prentice Hall buildings.

2. The matter of privacy must be considered. At the present time, the Prentice Hall buildings enjoy the maximum privacy. This will be lost once the new road is constructed, and every effort should be made to locate this road in a location where the maximum of privacy can be maintained.

3. Security is a matter of grave importance to Prentice Hall. At the present time, the buildings of Prentice Hall enjoy maximum security for the reason that there are no public roads close to the existing buildings and the only means of access is a private driveway which is under the surveillance of company employees. Once a public road is constructed, it is obvious that the security situation

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will be greatly altered and that the buildings will be accessible to a far greater number of persons.

4. The safety of employee parking must be considered. At the present time, the parking lot adjacent to the Prentice Hall building is accessible by means of a private driveway and there is little or no traffic to impede the safety of employees as they park their automobiles and as they egress from work. Once the public road is constructed, the parking area involved will abut directly upon the new roadway and there will be considerable jeopardy in terms of the egress of automobiles from the parking area on to the public road. Thru traffic along the new road will adversely affect the use of the remaining parking area by the company's employees.

5. There will be a serious reduction in the available parking spaces to the employees of Prentice Hall. In fairness to the company, the location of the proposed new road should be fixed so as to reduce to a minimum any impact upon the number of existing parking spaces which the company presently enjoys.

We believe that Prentice Hall is a valuable and attractive tax ratable to the Town of Clarkstown. We believe also that the Town is interested in attracting new ratables similar to Prentice Hall to the township. We submit, therefore, that in contemplating the construction of the road in question, the township should do everything possible to construct the road in a manner which is least injurious to the interest of Prentice Hall and in a manner which will not deprive the company of the benefits which it presently enjoys at the West Nyack location. Prentice Hall is a taxpayer and is a good citizen of the Town of Clarkstown and deserves a careful consideration of the points which are raised in this letter.

Further communications concerning this letter should be addressed to Prentice Hall as follows:

Mr. Richard D. Wade  
Vice President, Real Estate  
Prentice Hall  
Route 9W  
Englewood Cliff, New Jersey 07632

Prentice Hall wishes the opportunity of meeting with the town planners and engineers at such time as the final location of the proposed road is to be determined.

Sincerely yours,  
/s/ Michael H. Fury  
Michael H. Fury

MHF:etf"

Appearance: Glen Klein  
10 Bull Run  
West Nyack, NY

Mr. Klein requested that Mr. Geneslaw explain what a berm is and Mr. Geneslaw complied. Mr. Klein said he did not see any posting or get any notice in the mail that a meeting was taking place. Mr. Costa said all legal requirements were fulfilled. Mr. Klein said that right now Bull Run is a very quiet street. If you put in a road whether its to the east of the berm or not, it certainly will increase the amount of noise and pollution in that immediate area. To talk about the positioning or the planning of a road before the road is on the planning stages, doesn't make sense. Without knowing exactly where the road can be

it's unfair to have this plan implemented. It could be over the berm, west of the berm or wherever.

Supervisor Dusanenko said we're soliciting you and your neighbors input before we spend a few hundred thousands dollars of engineering on plans.

Mr. Klein continued that whenever you open up a major roadway, you increase the chances of theft and crime as well as the endangerment to children with the increase in cars in the area. He felt the roadway would disturb the environment and lessen the value of the property. He felt the only one who would benefit would be the St. Regis Paper Co. in that they will be able to reach Route 59 more quickly. For those reasons, I am against it.

Appearance:                   George Kelly  
                                  16 Spruce  
                                  West Nyack, NY

Mr. Kelly said he has lived in the area for sixteen years and during that time he has worked for the berm to be put in the back of their property and worked for a green area to be placed between Prentice Hall and houses on Bull Run. Upon the expansion of St. Regis, Cresco Sales Corp., the Cable Co., the expansion of Prentice Hall itself, we experienced a very large increase in traffic in the area. With all the cars in his area, it creates a hazard to the children. The stop signs that were installed are not working. The police pulled in over 47 vehicles within two hours for speeding through the stop sign. He said they had curb signs, signs restricting the speed to twenty miles per hour and the signs did not work. At 8:00 A.M. when the children are waiting for a bus and there is snow on the street, it's like a horror scene, what with Prentice Hall people screeching into their lot. The term "Good Neighbor" does not apply to Prentice Hall. At 4:30 when the people come out of Prentice Hall, it's like the Gran Prix road race. What we ask is that Bull Run and Indian Drive not be opened up to that street. That street be one street going from 59 over to old 59. There is no privacy or safety on Spruce Lane. Prentice Hall does not use all the parking spaces that they have right now. Security of lives is more important than any other problem. He is definitely in favor of this road. He doesn't want to see Bull Run or Indian Drive opened up onto it. It should just be a road by itself. It will inconvenience him because now he will have to exit out of the other side of my development and come around on 59 to get on to the Palisades. He claimed that any signs that were put up near Prentice Hall, they were ripped down. Decreasing traffic in our area will do more to increase property value.

Appearance                   Len Goldberg  
                                  Indian Drive  
                                  West Nyack, NY

Mr. Goldberg said that contrary to Mr. Kelly's statement, he has no problems with Prentice Hall. His house is the last house on Indian Drive right alongside Prentice Hall. When he bought the house, he also inherited a basketball court that sits out in front of the house. It's a dead end street and the kids play there. The road and the way it is proposed will run right alongside that basketball court. Right alongside my house. The fact is that once you put a road there, I am forced to look out onto that property. He felt that the basics have to be done first before proposing a road and that you have to have clarification where the road is going and whether the State will allow such a road to intersect with their roads.

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Councilman Holbrook asked in terms of the road being right up and abutting Mr. Goldberg's property, is there a reason why the road was put there as opposed to putting it on some other side of the property.

Mr. Geneslaw said if you move it a short distance to the east, it hits the building. The other alternative is to go completely to the east of the Prentice Hall building. If it weren't for the grade problems, that would almost be an ideal location. There is a steep hill on 59 and there would have to be an expensive excavation. It can be done in an engineering sense but it would be much more expensive.

Appearance: Margaret Fitton  
Spruce Lane  
West Nyack, NY

Ms. Fitton said she is very much in favor of this road. The children wait in the driveway as the road is unsafe. She mentioned a situation where an accident almost occurred and said she didn't want to wait for a tragedy and all of a sudden that road behind Bull Run will suddenly seem like a very sensible solution. She can understand the people's concern in the back but I think they have a buffer zone. She felt that the safety of the children has to be paramount. She felt that there should not be any access into Prentice Hall from her development. It would be very convenient for us to be able to go out the back and go right on. We would prefer the inconvenience if we had a choice of that and the safety of the children.

Appearance: Bernadette Vicki  
9 Spruce Lane  
West Nyack, NY

Ms. Vicki said she is across the street from the bus stop. She has seen traffic going through her development when there are children in the street without any concern for the children. Her concern is for the safety of the children.

Appearance: John Scatagino  
Parkway Drive  
West Nyack, NY

Mr. Scatagino said he has lived on Parkway Drive for fifteen years. The traffic since St. Regis has come in has increased drastically and his concern is for the children on Parkway Drive primarily. If we got guarantees that this road that is proposed in the Prentice Hall area does not enter the Bull Run development and if it is buffered by this embankment, then it would be preferable to the traffic coming through Parkway Drive. Can we get guarantees that the traffic will not enter the development at the upper level? The main concern is diverting traffic from a development road, Parkway Drive, to another development road. I think it's primary that we find out what route that road will take. He said he was in favor of the road if it does not connect with Indian Drive or Brookhill.

Appearance: Janet Buchbinder  
7 Indian Drive  
West Nyack, NY

Ms. Buchbinder was against the road because it would not be safe for the children. She felt that the road infringes on her property and her privacy and it will create a freeway that will be used as a drag strip.

Appearance: Allan Kardon  
Brookhill Drive  
West Nyack, NY

Mr. Kardon said the exit on 59 still connects with Brookhill. and traffic will still go through Parkway Drive. He suggested putting

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the road on the other side of Prentice Hall.

Appearance: Wayne Fuller  
Spruce Lane  
West Nyack, NY

Originally there was no exit on 59. He suggested adoption of this road with the exception, that neighborhood again should be closed off through 59. It would be an inconvenience for people commuting wanting to get on the parkway but they could also exit onto West Nyack Road go down the hill and come through the new road. You'd have none of the traffic problems from the commuters to St. Regis and Prentice Hall which you have now and the children would be safer. He did not agree with a previous speaker that there would be an increase in crime in the Bull Run area. If anything your going to have more cars and more noise on the other side of the berm and it would make it less of an isolated area and less crime. The way he described the plan there would be no additional traffic in the neighborhood and there would be no danger to the children in the entire neighborhood. If this road was constructed with no exit from the neighborhood on route 59, that would not become a problem because there would not be a connection from the neighborhood and the route from the neighborhood to the school would remain as it is and there would be no problem with kids having to walk to school along West Nyack Road.

Appearance: Mrs. Och  
Indian Drive and Bull Run  
West Nyack, NY

She felt that the road should go on the other side of Prentice Hall.

Appearance: James Kiernan  
14 Bull Run  
West Nyack, NY

He felt that the road should go on the eastern side of the building.

Appearance: Maureen Fisher  
14 Spruce Lane  
West Nyack, NY

She said she is for a road to alleviate the traffic. She said she thinks that development should be closed off. She is concerned for the safety of her children because of the traffic.

Appearance: Jack Shapiro  
1 Parkway Drive  
West Nyack, NY

Mr. Shapiro said he is right off of West Nyack Road. In general he said he is in favor of a road that would link West Nyack Road with Route 59. He said he did not want a road that would be moved east of Prentice Hall right next to West Nyack Elementary School. You want a road as far away from the school as possible for the safety of the children. Wherever you put a road, you have to step up police protection at least during rush hours. You also have to do something about banning all kinds of truck traffic on West Nyack Road.

Appearance: Mr. Kelly

Mr. Kelly said one of the studies that they have done was attempting to move the road east of Prentice Hall. The state

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told us you cannot do that because of the grade of the hill. He said Prentice Hall wants that road. Eventually they are going to want to expand their property and they want the road.

Appearance: Pat Rizzo  
Bull Run  
West Nyack, NY

He said he has the first house on Bull Run. Naturally, he is opposed to the road as it would come right on his back yard. He said he is also opposed to the heavy traffic that comes through the community. He felt everybody should get together and find a solution that would be equitable to all.

Appearance: John Provenzano  
5 Bull Run  
West Nyack, NY

Mr. Provenzano referred to correspondence that he was involved in with the original objections that they had to this road when Prentice Hall came in. The letter, over the signature of Oliver Heister, Executive of Prentice Hall, stated that the plans were withdrawn specifically because Prentice Hall concurs with Mr. Provenzano and objects to the site plan. Mr. Heister also stated that within the next few days they would submit a complete revised set of plans. Mr. Provenzano said that this had to do with the proposed road as Prentice Hall wanted it originally and now they seem to feel they don't want it. He said they had proposed the road when the building was being built and that the access road be built on the eastern portion. Contrary to what the other people stated about being close to the West Nyack School and compounding the situation, he said it would not. The road would start right at the entrance where St. Regis exits now on West Nyack Road and comes straight through. We had heard that the State would not approve of an entrance on 59 because of the slope and the rock grading. The state approved other places with the same kind of conditions and I don't accept what the state says. Mr. Provenzano referred to another letter dated August 25, 1969 which was drawn up by the one of the planners and currently on the Planning Board and was the original recommendation to the Town Board. Regarding road and parking lots, the noise emanating from trucks, late shifts, automobile employee flow will cause considerable disturbance to the adjoining residents. Prentice Hall presently violates section 3.11 general use tables, column 8 article 5 of the Clarkstown Zoning Ordinance with regularity and presumably will do so in the future. Air pollution: Location of these facilities suggested by Prentice Hall at that time, would have contributed to the air pollution and carbon monoxide. Also, the road if proposed even close to where your suggesting, would require flood lighting in order to illuminate the area and will increase the objectionable glare emanating from the building in violation of section 4.11 of the Zoning Ordinance. He stated that the property value would go down if the road is put there and also mentioned the safety of the children. The recommendation that the road be put east of their present site would conform not only with our plans but with their future plans as they gave it to us fifteen years ago. I suggest that you ask Prentice Hall for their original building sites for the future.

Appearance: Steve McKiernan  
20 Parkway Drive  
West Nyack, NY

Mr. McKiernan said he is 18 years old and was speaking from the point of view of the young people in the neighborhood.

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He said the young people would like to have the street closed off so that they could play in the street. Because of the heavy traffic, he said he has to cross his little sister and act as a traffic policeman. He said he totally approves of the road.

Supervisor Dusanenko read the following letter for the record.

"May 16, 1983

We are in favor of closing Brook Hill Road to traffic. However, we oppose the creation of a thru street on Indian Drive.

/s/ Karen Freedman  
/s/ David Freedman  
15 Parkway Drive  
West Nyack, N.Y."

Appearance: Michael Fury, Attorney  
Prentice Hall

Mr. Fury stated that he wanted to let the residents know that they are concerned over the safety and other related problems. At this time they feel there should be a road. He suggested that they send the proposal back to the Planning Board and meet with all parties concerned so they could come up with an equitable solution.

Supervisor Dusanenko asked if there was anyone further wishing to be heard.

No one appeared.

On motion of Councilman Lettre, seconded by Councilman Holbrook and unanimously adopted the Public Hearing re: Zoning Amendments was closed, time: 10:35.

RESOLUTION NO. (474-1983)

PROPOSED ROAD RUNNING IN A NORTH-SOUTH DIRECTION INTERSECTING WITH ROUTE 59 AT OR NEAR THE PRESENT INTERSECTION OF BROOK HILL DRIVE AND WEST NYACK ROAD (Route 59-A) RUNNING THROUGH PROPERTIES PRESENTLY OWNED BY PRENTICE-HALL, INC., AND ST. REGIS PAPER COMPANY, INC., BEHIND RESIDENTIAL PROPERTIES FRONTING ON BULL RUN AND INDIAN DRIVE AFFECTING PARCELS DESIGNATED ON THE CLARKSTOWN TAX MAP AS MAP 71, BLOCK B, LOT 4 AND MAP 51, BLOCK A, LOTS 20 AND 21 CONNECTING WITH WEST NYACK ROAD (ROUTE 59-A).

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 22nd day of March, 1983, provided for a public hearing on the 16th day of May, 1983, at 9:00 P.M., or as soon thereafter as possible, to consider conforming amendments to the official Map of the Town of Clarkstown in connection with the implementation of the 1981 Update of the Master Plan of the Town of Clarkstown for the Hamlet of West Nyack, and

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WHEREAS, notice of the public hearing was published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Official Map is hereby referred to the Clarkstown Planning Board for further consideration and recommendation:

Proposed road running in a north-south direction intersecting with route 59 at or near the present intersection of Brook Hill Drive and West Nyack Road (Route 59-A) running through properties presently owned by Prentice-Hall, Inc., and St. Regis Paper Company, Inc., behind residential properties fronting on Bull Run and Indian Drive affecting parcels designated on the Clarkstown Tax Map as Map 71, Block B, Lot 4 and Map 51, Block A, Lots 20 and 21 connecting with West Nyack Road (Route 59-A).

and be it

FURTHER RESOLVED, that the Clarkstown Planning Board:

1. Consider feasibility of an alternate similar connector road to the east of existing Prentice Hall buildings, and
2. Also reconsider the proposed connector road without connection to Bull Run and Brook Hill Drive.

As shown on map on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York, entitled, "West Nyack-Town of Clarkstown, N.Y. Proposed Official Map Amendment."

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

At this point the public hearing was declared closed,  
time: 10:43 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN  
Town Clerk