

TOWN OF CLARKSTOWN
PUBLIC HEARING

27

Continuation of Public Hearing re: Clinton Square Plaza

Town Hall

2/10/86

8:04 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Lettre, Nowicki
Councilman Maloney arrived at 8:35 P.M.
Paul Nowicki, Deputy Town Attorney
John Costa, Town Attorney (arrived during meeting)
Patricia Sheridan, Town Clerk

Supervisor gave an explanation of the procedures for the public hearing. Supervisor further explained that the SEQRA process would be closed after this evening's meeting. However, correspondence regarding this could be sent for ten days. The zone change hearing will remain open until April 1986.

Councilman Lettre requested that the Town Board request that the Rockland County Planning Board reexamine and reevaluate their decision on Clinton Square and come back with a recommendation either affirming or denying.

Appearance: Mr. John Kozma
Kozma Associates

Mr. Kozma made a statement regarding the suggestion that he had approved of the proposed mall. (Letter reiterating his statement on file in Town Clerk's Office.) Mr. Kozma said this was not true and he was seriously concerned. Excerpts from that letter follow:

"In light of recent events in connection with my activities as the drainage consultant to the Town of Clarkstown for the referenced project, I wish to make the following statement for the official record of the January 28, 1986 public hearing that was adjourned and scheduled to continue on February 10, 1986:

- "1. A copy of my letter to Mr. Leslie F. Bollman, P.E., Director of the Department of Environmental Control of the Town of Clarkstown, dated January 10, 1986, reporting on my review of the DEIS submitted by the applicant, was attached to a widely circulated "Fact Sheet" at the commencement of the public hearing on January 28, 1986. Certain portions of that letter were highlighted to create the impression that the proposed mall has gained my endorsement. Nothing could be further from the truth. It should be unequivocally stated that no such endorsement, nor approval was intended. In fact, the letter in question emphasized that the 'proposed development is in an extremely sensitive area in terms of drainage' and listed several aspects of serious concerns to be carefully monitored in the future. The letter did, however, state that the applicant's request for a zone change is not outright undesirable as far as drainage is concerned.
2. The full page advertisement, published on page B9 of the February 9, 1986 edition of the Journal News went one step further by including a statement, namely that 'Pyramid's drainage plan, which was accepted by Clarkstown's drainage consultant,...'. Such statement is totally misleading, for no 'drainage plan' has ever been submitted, therefore none could have been 'accepted.' The DEIS of the applicant contained only what can be considered at best the formulation of a drainage concept. That concept did indicate that the applicant intends to approach the local drainage problems in a sound engineering manner, but went no

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further than that. The acceptance of any kind of drainage plan can not be discussed until the applicant has submitted formal engineering drawings and detailed drainage calculations as part of their site plan development."

Supervisor then noted that letters had been received:

Letters in opposition:

Grace and John Mulligan
Arthur J. Laurent, Pres.
Casper Hill Association
Bruce Broadley
Jeremy J. Krantz
Board of West Nyack Fire Comm.
Industrial Development Comm.

Letters in favor:

Peter Reiner
Marie Elena Calabrese
Frances Colucci
Martin C. Wortendyke

The following people appeared in opposition to the proposed zone change:

Mr. Alan Friedman
112 Church Street
Nanuet, New York

John M. Armentano, Esq.
Representing Nanuet Mall
22 Jericho Turnpike
Mineola, New York

Mr. Vincent Ferrandino
Ferrandino & Associates
Fleetwood, New York

Mr. Michael Merryman
210 Parrott Road
West Nyack, New York

Ms. Susie Covello
Central Nyack, New York

Ms. Patricia A. Zaccaro
40 Ridge Road
Congers, New York

Mr. John B. Klos
409 Storms Road
Valley Cottage, New York

Ms. Marilyn Schauder
402 Casper Hill Road
Valley Cottage, New York

Ms. Schauder submitted petitions containing 1100 signatures in opposition to the proposed zone change.

Mr. Charles W. Ulrich
318 North Highland Avenue
Upper Nyack, New York

Mr. Mark Brecher
229 Van Houten Fields
West Nyack, New York

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Mr. Joseph Pantano
265 South Little Tor Road
New City, New York

Mr. Owen Reilly
54 Sunsent View Drive
West Nyack, New York

Mr. Charles Kukner
124 Leher Road
Blauvelt, New York

At this point - 9:39 P.M. - a recess was called to 9:45
P.M.

Supervisor then called upon other persons wishing to
speak in opposition:

Mr. Doug Eichele, Pres.
Congers Civic Assoc.
43 North Conger Avenue
Congers, New York

Mr. John Mulligan
166 Lake Road
Valley Cottage, New York

Mr. Alan Gussow
121 New York Avenue
Congers, New York

Miss Eleanor Fitch
16 Phillips Hill Road
New City, New York

Mr. Joel Klarreich
3 Rone Court
New City, New York

Mrs. Marge Fitton
Spruce Drive
West Nyack, New York

Mr. Richard Linke
36 Brookside Avenue
Valley Cottage, New York

Mr. Chris Goodyear
Strawtown Road
West Nyack, New York

Mr. John Tobin
33 Benson Avenue
West Nyack, New York

Mrs. Deanna Sanderson
c/o SECHA
Box 68
West Nyack, New York

Ms. Mary Nelson
800 A Brookridge Drive
Valley Cottage, New York

Ms. Charlene Dixon
106 Strawtown Road
West Nyack, New York

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Mr. John Bifano
54 North Greenbush Road
West Nyack, New York

Mr. Al Brenner
Broome Blvd.
Central Nyack, New York

Mr. John Pardy
1 Chemong Court
Central Nyack, New York

Ms. Judith Kessler, Rockland Audubon Society
300 New Hempstead Road
New City, New York

Mr. Richard Link
Valley Cottage, New York

Mr. Chris Goodyear
Strawtown Road
West Nyack, New York

Mr. John Tobin
Benson Avenue
West Nyack, New York

Mrs. Deanna Sanderson
New City, New York

Ms. Mary Nelson
West Nyack, New York

Ms. Charlene Dixon
Strawtown Road
West Nyack, New York

There was a recess called from 11:30 P.M. to 11:35 P.M.

Those speaking in opposition continued as follows:

Mr. Alan Brenner
Broome Boulevard
Central Nyack, New York

Mr. John Chemung
Central Nyack, New York

Ms. Marjorie Russo
Nanuet, New York

Ms. Sandra Holtz
Greenbush Road
West Nyack, New York

Mr. Lee Holtz
Greenbush Road
West Nyack, New York

Ms. Gloria Mader
Abbey Lane
Valley Cottage, New York

Mr. Arthur Laurent
403 Caspter Hill Road
Valley Cottage, New York

The following people spoke in favor of the proposed zone
change:

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Mrs. Nancy E. Lucchese
169 Brewery Road
New City, New York

Mr. Zoltan Karpathy
101 Gedney - Apt. 5Z
Nyack, New York

Mr. William Schraer
326 North Midland Avenue
Upper Nyack, New York

Mr. Michael Romano
56 West Nyack Road
West Nyack, New York

Paul Romeo
2 Rone Court
New City, New York

Ms. Eleanor Battaglia
23 Patricia Avenue
Congers, New York

Mr. Harold Walker
84 Waldron Avenue
Central Nyack, New York

Mr. Gino Principe
17 Carnation Street
Nanuet, New York

Mr. John Lodico
2 Birch Lane
New City, New York

Mr. Robert Geneslaw, Town Planning Consultant, stated that the file on Clinton Square Plaza was incomplete in his office and incomplete in the Town Clerk's Office. He said that tomorrow he wanted both files to be complete and requested that the Environmental Office make their file available for that purpose.

RESOLUTION NO. (133-1986)

REFERRING (SECOND TIME)
PETITION OF CLINTON SQUARE
PLAZA TO ROCKLAND COUNTY
PLANNING BOARD

Co. Lettre offered the following resolution:

WHEREAS, there is presently pending in the Town of Clarkstown a petition for a change of zone in an area in the vicinity of Route 59 and Route 303 in West Nyack, to permit the construction of a major retail shopping mall, (Clinton Square, and

WHEREAS, the petition was duly referred to the Rockland County Planning Board as required by the General Municipal Law, and

WHEREAS, the Rockland County Planning Board has not made any recommendations on the largest project in Rockland although requested by the Town Board,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby renews its referral of the said petition to the Rockland County Planning Board and

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RESOLUTION NO. (133-1986) Continued

requests its report and definitive recommendation on or before April 1, 1986.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (134-1986)

CLOSING PUBLIC HEARING RE
EIS OF CLINTON SQUARE PLAZA
AND RECESSING PUBLIC
HEARING RE ZONE CHANGE TO
APRIL 10, 1986

Co. Maloney offered the following resolution:

RESOLVED, that the public hearing held pursuant to the provisions of the State Environmental Quality Review Act upon the draft of EIS of Clinton Square Plaza, Inc., is hereby closed, and be it

FURTHER RESOLVED, that the ten (10) days period for submission of comments at the conclusion of said hearing shall commence on February 11, 1986, and be it

FURTHER RESOLVED, that the public hearing on the zone change application of Clinton Square Plaza, Inc., and Raso is hereby recessed to 8:00 P.M. April 10, 1986 at 10 Maple Avenue, New City, New York.

Seconded by Co. Nowicki

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

Hershal Greenbaum, attorney for the petitioners wished it noted that he objected to the immediate resolution as he felt the Rockland County Planning Board had chosen to take no action and that should be the end of it.

There being no one further wishing to be heard, the Public Hearing re: SEQRA was declared closed, and the Public Hearing re: zone change was recessed until April 1986, time: 12:10 A.M. (February 11, 1986).

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk