



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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C. SCOTT VANDERHOEF  
 County Executive

DR. JAMES J. YARMUS, P.E.  
 Commissioner

December 19, 1995

Clarkstown Town Board  
 10 Maple Avenue  
 New City, NY 10956

<b>Tax Map:</b>	138	138	
<b>Block</b>	H	H	
<b>Lot/s:</b>	4,17,18	18.1,23	28,3,5
	6.1,6.2	13,14	39,40
	20	21	24
	25	26	27, 30

JAMES CYMORE  
 Deputy Commissioner

**Re: GENERAL MUNICIPAL LAW REVIEW:** 239 (k) 239 (l&m) x 239 (n)  
**Map Date:** / / **Date Review Received:** 11/20/95

**Item:** JEKAR INC. (C-2030A)  
 Zone change from MF-1 to MF-3  
 Southeast corner of Rockland Lake Road and Rt. 9W

**Reason for Referral:**  
 Route 9W, PIP, Rockland Lake Road

The Rockland County Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the Rockland County Charter, I hereby

**\*recommend the following modifications:**

In our previous review dated March 28, 1995, with advisory recommendations from the Rockland County Planning Board, we disapproved this zone change for two primary reasons:

1. The southern end of the site is located near the bottom of a steep and curving section of the State road which presents major hazards for cars entering and exiting these properties, and for traffic on the State road.
2. The potential negative impacts, visual and other, on the State park, created by allowing higher density housing adjacent to the State park.

Subsequent to our decision, we received a request from the Town and the applicant for reevaluation of this zone change request and were asked to reconsider our findings based on new information submitted by the applicant. The applicant acknowledged the legitimacy of our concerns and offered several design considerations that could mitigate these impacts. The applicant also offered a social benefit in the form of a discount on the sale price of these housing units to senior citizens.

Given this new information, <sup>we</sup> Approve the requested zone change with the following recommended modifications:

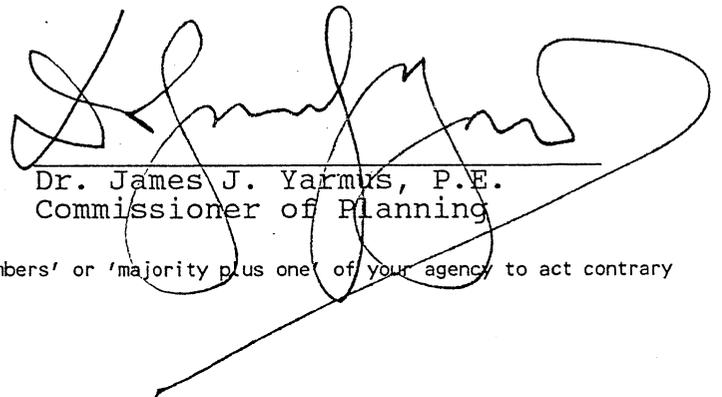
1. Any change of zone in this area needs to be comprehensive in scope and include the Jekar Inc. parcels as well as those other parcels proposed for rezoning by the Town Board in March 1995.

2. To mitigate the dangerous situation on Route 9W due to limited sight-distance, future access to all lands redeveloped in this entire MF-1 zoning district should be at a location within the northern portion of the zone. This will mean that an interior drive/road would need to be developed providing access from all parcels in the southerly section to this Route 9W access. This would require the applicant to: 1) either assemble all parcels in this district prior to development and develop the site as a single entity or 2) develop those sections actually controlled by the applicant with a series of easements giving the southern parcels access to the Route 9W entrance created on the northern portion.

3. The impacts of increasing housing density adjacent to the State park can be mitigated by proper design at the time of site plan review. The involvement of the Palisades Interstate Park Commission (PIPC) will be instrumental in developing a suitable buffer between park lands and high density housing. The approval of this zone change should be contingent upon the subsequent development of such a buffer being reviewed and approved by the PIPC at the time of site plan review.

4. A stipulation by the applicant states that a 10% discount from the offering price for any housing units constructed on the subject property will be available to senior citizens for a period of one year from the date of the first offering of units for sale. The Town should decide on the residency or age criteria needed to implement this requirement for any pertinent section.

cc: Supervisor Charles Holbrook, Town of Clarkstown  
R. Yacyshyn - member, RCPB  
R.C. Highway Department  
R.C. Drainage Agency  
N.Y.S. Department of Transportation  
Palisades Interstate Park Commission  
Clarkstown Planning Board  
Town Attorney, Attn: Neila



Dr. James J. Yarmus, P.E.  
Commissioner of Planning

\*The GML requires a vote of 'two-thirds of all the members' or 'majority plus one' of your agency to act contrary to the above findings.