

Town Board of Yorktown – July 18th 2006 – Meeting Minutes

1. DECISION - OLD STONE CHURCH
LANDMARK STATUS
RESOLUTION #352

Upon motion by Councilman Bianco, seconded by Supervisor Cooper,

Councilman Bianco stated that the Town Board recently passed a law which states that the Town Board does not need a property owner's consent to landmark a structure. He believes this structure should be landmark due to its historic value to the community. It is more than one hundred years old.

WHEREAS, the Landmark Preservation Commission has recommended to the Town Board that it designate that certain property commonly referred to as the "Old Stone Church" as an historic landmark; and

WHEREAS, the Old Stone Church, a/k/a St. George's Church, is located at 1715 East Main Street, in Mohegan Lake and is identified on the Tax Map of the Town of Yorktown as Section 15.12, Block 2, Lot 53; and

WHEREAS, Commission Chairman Garrison Corwin, on behalf of the Commission, submitted substantial documentation discussing the unique characteristics of the Old Stone Church and the arguments supporting its designation as an historic landmark; and

WHEREAS, a public hearing was convened on January 17, 2006, and thereafter adjourned to and reconvened on February 21, 2006 to discuss the landmark designation; and

WHEREAS, at the public hearing, Garrison Corwin, presented the Commission's arguments in support of its recommendation that the Old Stone Church be designated as a landmark; and

WHEREAS, at the public hearing, the owner of the Old Stone Church, Thomas DeChiaro, appeared and was represented by legal counsel, Marc S. Oxman, who stated that there would be no objection to landmark designation of the structure so long as the designation clearly specifies that, although it applies without exception to the exterior stonework, it applies only to specifically enumerated elements of the interior of the church building; and

WHEREAS, by letter dated February 10, 2006, Garrison Corwin, on behalf of the Commission, notified the Town Board that, at its February 8, 2006 meeting, the Commission determined that the landmark designation should apply to the entire exterior of the church building, the site on which it stands and the elements of the interior of the structure having historical significance, namely, "(1) the mosaics in the floor as they currently exist and (2) the beams in the ceiling, which are at least in part and may be in

their entirety, original laminated beams, from the original construction"; and

WHEREAS, by letter dated March 10, 2006, the Commission also expressed its particular concern that ". . . the chandeliers' [be added] to the interior elements which have historic designation."; now, therefore, be it

RESOLVED, that the Town Board of the Town of Yorktown hereby designates the Old Stone Church, a/k/a St. George's Church, as a landmark pursuant to Chapter 198 of the Town Code of the Town of Yorktown; and be it further

RESOLVED, that the landmark designation made by this resolution applies to:

(1) the exterior stonework and roof of the church building; and

the elements of the interior of the structure having historical significance, namely, the mosaics in the floor as they currently exist.

Councilman Bianco stated that the Town Board recently passed a law which states that the Town Board does not need a property owner's consent to landmark a structure. He believes this structure should be landmark due to its historic value to the community. It is more than one hundred years old.

Councilman Martorano stated that he appreciated the good intentions of the Landmark Commission in wanting to preserve this structure. But, we must honor the rights of property owners.

Councilman Campisi stated that he voted against the Landmark Preservation Law because owner consent was not required. He considers this a taking of someone's property. He further questioned the need to landmark all of this building because very little with the exception of the outside stone is original to the building.

Councilman Metz agreed with Councilman Martorano that this is a balancing act, weighing the right of a property owner and the town's desire to have this structure land marked. He would like to see the property land marked

Supervisor Cooper stated that she believes the building should be land marked. She further stated that she does not believe that just because you landmark a building, you cannot adapt new uses.

Cooper, Bianco, voting aye
Martorano, Campisi, Metz voting nay
Resolution denied.