

HEARING ON PROPOSED CHANGE OF ZONING ORDINANCE

April 13th, 1945

Town Clerk's Office

2:30 P.M.

Present: Mr. Schmersahl

Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

The Supervisor opened the Hearing.

The Town Clerk then read the "Notice of the Hearing."

Mrs. Natalie Couch Williams, Attorney for the Schieffelin Estate at West Nyack, was the first speaker. She stated that her client was opposed to the amendment on the ground that the property in all Residence A areas would be depreciated because no one knew where the airport would be located, and that since the amendment is of such broad nature that it might apply to any residential area, all such areas are in danger of value depreciation.

Mrs. Williams pointed out that if the Town Board adopts this amendment it would be a matter of the Town Board delegating their legislative powers to the C.A.A. in giving them the power to choose a site for the airport. This would be unconstitutional, she said, because the Town Board cannot delegate its legislative powers to any one else. She stated that it was her opinion that the Town Board had the cart before the horse and that the site for the airport should be chosen first and then the matter should be brought before the people so that they can choose whether or not they desire to have it.

Mr. Irion, representing the Rockland County Planning Board spoke next. He said it was much more likely that a lot of property would rise in value because of its proximity to an airport. The C.A.A. had requested the Planning Board to find out whether there are suitable places for such a purpose, whether they meet the technical requirements and whether the location lends itself advantageously for that purpose.

Mrs. Ludrop, Greenbush Road, West Nyack, was the next speaker. She presented a petition from the neighbors on Greenbush Rd. protesting against the establishment of an airport in West Nyack. She said that

the petition had been signed by about 30 people which represents 100% of the residents residing on this road. Mrs. Ludrop told the Board that she had previously lived in Valley Stream, and that she had sold her home at a great loss due to the airport nearby. She said that she was opposed to an airport being permitted in any Residence A District, and she further requested the Board to designate the place where the proposed airport will be located.

As there were no other persons who wished to speak either for or against the proposed airport, on motion of Mr. Dickenman, seconded by Mr. Eberling and unanimously adopted, the hearing was declared closed.

Kate Buchanan

Town Clerk of Clarkstown

TOWN BOARD MEETING

April 13th, 1945

Town Clerk's Office

3:30 P.M.

Present: Mr. Schmersahl

Mr. McIntyre

Mr. Eberling

Mr. Dickenman

Mr. Blauvelt

Mr. Blauvelt called the meeting to order and requested the reading of the minutes.

Mrs. Buchenau then read the minutes for the last regular meeting held March 9th, 1945 and for a Special Meeting held March 16th, 1945.

Mr. Dickenman moved the minutes be adopted as read.

Seconded by Mr. McIntyre

Carried

Mr. Dickenman moved the meeting adjourn to go into Board of Health Meeting.

Seconded by Mr. Eberling

Carried

After discussing matters pertaining to health in Board of Health Meeting, on motion of Mr. Dickenman, seconded by Mr. Eberling and unanimously carried, the Board reconvened into regular Town Board meeting.

Mr. Heinz, Chairman of the Rockland County Planning Board, reported to the Board on the preparation of a map showing all the fire districts in Clarkstown. Many of the fire districts overlap one another according to Mr. Heinz, and he told the Board he felt that those districts established many years ago should have priority over those just recently established. He said that an investigation showed the districts do not coincide with the descriptions at all. Mr. Heinz told the Board that the fault probably lay in the fact that when the newly formed districts were created, they were formed without regard to the districts already established. He said that he was willing to meet with the Fire Commissioners at any time to straighten the matter out.

Mr. Dickenman moved that Mrs. Buchenau notify the Chief and Fire Commissioners of each fire district in Clarkstown to meet at the office of the Planning Board in New City on the evening of April 27th, 1945 at 8:00 P.M.

Seconded by Mr. Schmersahl

Carried

Mr. Blauvelt read a letter from W. Reginald Herdman, Chairman Board of Appeals, regarding the proposed "Rate Schedule" in connection with building permits. Mr. Herdman requested the Board to take action, since the present supply of forms is about exhausted, and the Board of Appeals hesitates to have new forms printed until some decision is made as to the fees to be charged.

Mr. McIntyre moved that the Board approve and accept the following Rate Schedule in connection with the revision of the Zoning Ordinance forms used in the enforcement of the Zoning Ordinance of the Town of Clarkstown.

RATE SCHEDULE

One copy of such plan and application, when approved by the Building Inspector, shall be returned to the owner on the payment of the following fees:

Accessory building or minor alterations or additions not to exceed \$1,000.00	\$3.00
Building or major additions or alteration costing up to \$5,000.00	\$ 5.00
Building costing over \$5,000.00	\$ 5.00 plus 50¢ per thousand dollars over five thousand dollars

Seconded by Mr. Eberling	Vote:	Mr. Schmersahl	Yes
		Mr. McIntyre	Yes
		Mr. Eberling	Yes
		Mr. Dickenman	Yes
		Mr. Blauvelt	Yes

The Board discussed the \$2.00 fee to be charged monthly where completion of a building is not accomplished within a period of one year. The Board were not certain that it would be legal to make exemptions as to who should and who should not pay the \$2.00 fee, and they decided to hold this matter in abeyance until the Town Attorney could check the law and advise them as to the action they can legally take.

Mr. Blauvelt informed the Board that the preliminary plans for the proposed Town Hall have been completed and paid for, the State paying a portion of the cost. He further told the Board that Mr. Chris Bardon, the architect, has called on him and told him that there was considerable work to be done on the completed plans, and that he could not go along with the final plans on the amount the State will allow. Mr. Blauvelt said that the State allows

busy grading and levelling off the property.

Mr. Roepe, Town Attorney, suggested that the Town procure if possible an abstract of the title to the property, which would be a protection for them in the event any buildings should in future be constructed on the land.

Mr. Blauvelt then informed the Board that it is the usual custom to each year clean up the abandoned cemeteries.

Mr. Eberling moved that the Supervisor be authorized to hire assistance to clean up the abandoned cemeteries at 70¢ per hour.

Seconded by Mr. Dickenman	Vote:	Mr. Schmersahl	Yes
		Mr. McIntyre	Yes
		Mr. Eberling	Yes
		Mr. Dickenman	Yes
		Mr. Blauvelt	Yes

Mr. Dickenman said he thought the Board should appoint someone to take care of the Congers Park.

Mr. Dickenman moved that Robert Southward be appointed to maintain the Congers Station Park at 70¢ per hour.

Seconded by Mr. Schmersahl	Vote:	Mr. Schmersahl	Yes
		Mr. McIntyre	Yes
		Mr. Eberling	Yes
		Mr. Dickenman	Yes
		Mr. Blauvelt	Yes

Mr. Dickenman moved that the Supervisor be authorized to appoint a man to take care of the Valley Cottage Station Park at 70¢ per hour.

Seconded by Mr. Schmersahl	Vote:	Mr. Schmersahl	Yes
		Mr. McIntyre	Yes
		Mr. Eberling	Yes
		Mr. Dickenman	Yes
		Mr. Blauvelt	Yes

Mr. Blauvelt then informed the Board that Mr. Herdman, Chairman of the Board of Appeals, had conferred with him on the matter of unused billboards. He said that, according to an opinion given the Zoning Board of Appeals by Mr. Wexler, previous town attorney, the Board could prevent the use of billboards where absolute proof was shown they had been unused for

a definite period of time. To this end photographs have been made at regular periods of all unused billboards. Now Mr. Roepe, Town Attorney, has rendered an opinion which is different from Mr. Wexler's, indicating that the Board cannot prevent the further use of billboards. Mr. Herdman has indicated his Board is anxious to meet with the Town Board to straighten the matter out, so they will know just what they can do legally.

Mr. Roepe, Town Attorney, then discussed with the Board the matter of unused billboards, and he presented his written opinion regarding the same.

Mr. Blauvelt then said that he would contact Mr. Herdman regarding the matter.

Bills Nos. 205 to 275 on Warrant #4 were audited and ordered paid as follows:-

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
			TOWN BOARD	
205	John C. Fajen	Rent	Town Hall & Offices	50.00
206	"	"	"	30.00
207	Mrs. Rose M. Leo	"	"	40.00
208	Coyle & Coyle	"	"	35.00
209	John Elliott	"	"	15.00
210	Nanuet National Bank	"	"	30.00
211	West Nyack Fire Engine Co.	"	"	20.00
212	Nanuet Fire Engine Co.	"	"	20.00
213	"	"	"	20.00
214	Nyack Window Cleaning Co.	Repairs	"	6.00
215	Rockland Light & Power Co.	Light	"	3.45
216	"	"	"	9.46
217	"	"	"	2.30
218	"	"	"	9.65
219	Rockland Gas Co., Inc.	Heat	"	10.85
220	New York Telephone Co.	Telephone	"	9.05
221	"	"	"	15.40
222	"	"	"	20.40
223	"	"	"	5.70
224	"	"	"	6.70
* 225	"	"	"	5.70

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u> TOWN BOARD	<u>AMOUNT ALLOWED</u>
226	New York Telephone Co.	Telephone	Town Hall & Offices	5.60
227	"	"	"	5.70
228	"	"	"	4.17
229	Nanuet National Bank	Water	"	3.75
230	George M. Edsall	Fire & Liability	Insurance	1,338.09
231	"	"	"	11.55
232	"	"	"	70.27
233	George M. Edsall	"	"	43.77
234	"	"	"	95.00
235	The Journal-News	Printing & Advertising	Printing & Advertising	29.10
236	"	"	"	30.90
237	"	"	"	4.51
238	John Elliott	Zoning Inspector & Expense	Zoning Inspector & Expense	15.02
239	New York State Employees Retirement System	Employees Retirement System (Town Share)	Employees Retirement System (Town Share)	9,815.80
240	Roswell P. Blauvelt	Office Expense	Supervisor	5.00
241	New City Hardware Store	"	"	3.79
242	Cunard Stationery & Printing Co.	"	"	3.18
243	Excelsior Press	"	"	6.50
244	New City Hardware Store	"	Town Clerk	2.15
245	Nyack Typewriter Exchange	"	Rec. of Taxes	5.75
246	Florence Blauvelt	Comp. of Employees	Board of Appeals	7.75
247	Town of Clarkstown, Highway Fund	Mileage	Police	109.30
248	Philip Rieber Co.	Expense	"	8.25
249	Excelsior Press	"	"	12.50
250	Mr. Paul Babcock	"	"	3.00
251	New City Hardware Store	"	"	.60
252	Wagschals	"	"	12.95
253	West Nyack Service Station	"	"	17.00
254	Nyack Carburetor Sales & Service	"	"	13.90
255	Samuel H. Handley	Office Expense	Welfare Officer	12.50
256	Lillie Pangborn	"	"	7.88
257	Aletha Browne	Veterans Relief	Veterans Relief	25.00
258	The Johnson Co.	Item #1	Highway	75.06

<u>CLAIM NO.</u>	<u>CLAIMANT</u>	<u>NATURE OF CLAIM</u>	<u>FUND AND/OR APPROPRIATION</u>	<u>AMOUNT ALLOWED</u>
259	West Nyack Trap Rock Co.	Item #1	Highway	12.40
260	O.R.B. Road Materials Inc.	"	"	286.00
261	R.A.L. Contractors, Inc.	"	"	291.00
262	Nyack Auto Parts, Inc.	Item #3	"	22.82
263	New City Hardware Store	"	"	74.12
264	Pierce Parts Co.	"	"	79.59
265	Snap-On-Tools	"	"	14.55
266	John J. King	"	"	931.37
267	Nyack Carburetor Sales & Service	"	"	13.45
268	New York Telephone Co.	Item #1.	"	29.14
269	Walter Hicks	"	"	90.99
270	John Schubert	"	"	3.75
271	Nanuet Diner	"	"	38.20
272	Rockland Light & Power Co.	"	"	29.04
273	Ruth Frieda Amsler	Other Health Exp.	Board of Health	2.00
274	Billy Kearney	"	"	2.00
275	Charles E. Houghtaling	Other Expense	Registrar of Vital Statistics	2.09

There being no further business, Mr. Eberling moved the meeting be adjourned.

Seconded by Mr. Dickenman

Carried

Meeting adjourned.


 Town Clerk of Clarkstown