

PUBLIC HEARING

JUNE 17, 1949

Town Clerk's Office

8:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Eberling

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it was being held to consider the application of Arthur E. Snyder to change the zoning of his property at West Nyack from Res. A to Bus. B district.

The Town Clerk then read the notice of the hearing and presented the Affidavit of Publication.

Mr. Dillon then told those present that the Board would listen to those in favor of the application first, and then those opposed would be given the opportunity to speak.

Mr. Snyder appeared and told the Board that he wanted his property changed, as it has been in business for the past 67 years and also so that his brother can make a living there. The property he wishes changed is the former Gus Snyder place in West Nyack, and Herman Klos owns to the east of him, Mr. Seyfert is in the back and the Webb property now owned by Joffe is to the west of him. Mr. Klos is in the farming business.

When asked if he wanted to change his property so he could have a pony ring, Mr. Snyder told the Board that he wanted it changed for his brother, Charlie, who is in that business and must make a living. He further stated that his father lived on this place for 67 years and sold vegetables and fish there.

Mr. Samuel Gunn then appeared as attorney for Mrs. Helen Joffe, who owns three acres of land formerly known as the Webb property directly adjacent and contiguous to the Snyder property on the west. Mr. Gunn told the Board that he has not been in contact with Mrs. Curtin, as she is attending a funeral this evening and cannot be present at the hearing, but she did ask Mrs. Joffe to have her (Mrs. Joffe's) remarks the same as she would remark if she were here tonight. Mr. Gunn then asked to have the application removed on the ground that the notice is defective, as it fails to advise the public with any degree of information as to the location of the property that is the subject of this application. He stated that a reading of the notice will not tell anyone where the property is located on Route 59 in the Town of Clarkstown, and he therefore believes that it is for this reason that there is no opposition here tonight. He then read the description as contained in the notice. Mr.

Gunn stated that this description could apply to any property on Route 59.

Mr. Gunn then told the Board that this area in which they are being asked to spot zone from Res. A to Bus. B is wholly residential in the highest degree, as there are farms and private homes all around it. He stated that his client, Mrs. Joffe, purchased this property a year ago as a home, and her house and driveway are directly alongside of the west boundary of the Snyder property.

Mr. Gunn told the Board that even if the notice is sufficient that the application is improper because there is no ground for the change submitted by the applicant. The ground he submitted in his application is that he wished to have his brother earn a living, and Mr. Gunn stated that no person can change his home to business because he wants to have his brother make a living. Further, he stated that there is no basis for this change of zoning at this time, as there is no compelling necessity. Mr. Gunn told the Board that the area doesn't warrant the change, and that it would depreciate many properties in the vicinity, especially Mrs. Curtin's and his client's properties.

Mr. Snyder then told the Board that Mrs. Curtin told him she would be glad to have the pony ring there.

There was no one else who appeared either for or against the proposed change.

The Board decided to reserve decision in this matter.

Mr. Eberling moved the hearing be closed.

Seconded by Mr. Schmersahl

Carried

Hearing closed.

Cora Martin Mac Lane
Town Clerk of Clarkstown

PUBLIC HEARING

June 17, 1949

Town Clerk's Office

8:30 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Eberling

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it was being held to consider the application of Madeline Keahon to change the zoning of her property at Congers from Res. A to Bus. B district.

The Town Clerk then read the notice of the hearing and presented the Affidavit of Publication.

Mr. Dillon told those present that the Board would listen first to those in favor of the change, and then those opposed would be given the opportunity to speak.

Mr. Keahon appeared on behalf of his wife and told the Board that on both sides of him is business A and up a little further is one property which is in Business B district. Most of the property he stated has laid idle for some thirty years. He told the Board that he would like to have his property changed to Bus. B district, inasmuch as other properties around him are in a business district.

No one appeared to protest the change.

Mr. Fibble moved the hearing be closed.

Seconded by Mr. Schmersahl

Carried

Hearing closed.

Core Mitting Mares Lean
Town Clerk of Clarkstown

PUBLIC HEARING

June 17, 1949

Town Clerk's Office

9:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Eberling

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it was being held to consider the application of Albert G. Lamborn for a change in the zoning of his property at Congers from Res. A to Bus. B district.

The Town Clerk read the Notice of the Hearing and presented the Affidavit of Publication.

Mr. Dillon then told those present that those in favor of the change would be heard first, and then those opposed would be given the opportunity to speak.

Mr. Lamborn appeared and told the Board that the property he wishes changed to Bus. B district is right across from Mr. Keahon's property, and that all the property near it is in business.

No one appeared to oppose the change.

Mr. Fibble moved the hearing be closed.

Seconded by Mr. Schmersahl

Carried

Hearing closed.

Corra Martling / Mae Lean

Town Clerk of Clarkstown

ABH 103

SPECIAL TOWN BOARD MEETING

June 17th, 1949

Town Clerk's Office

9:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Eberling

Mr. Dillon

Mr. Dillon called the meeting to order.

The Board then considered the application of Madeline Keahon for a change in the zoning of her property at Congers from Res. A to Bus. B district.

Mr. Fibble moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 13th day of May, 1949, provided for a public hearing on the 17th day of June, 1949, at the Office of the Town Clerk, Main Street, New City, New York, at 8:30 in the evening to consider the application of Madeline Keahon, to amend the Building Zone Ordinance for the said Town by redistricting the property of said petitioner from "Residence A" to "Business B", and,

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

NOW, THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property from "Residence A" to "Business B".

ALL that certain lot, piece or parcel of land, situate, lying and being at Congers in the Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows, viz:-

COMMENCING at a point formed by the intersection of the centre line of New Road or highway running from Congers Station to Rockland Lake (Lake Road) with the centre line of a stream of water being the outlet of Rockland Lake, said point being in the middle of a bridge crossing said stream and being the Northwest corner of property herein described, and running from thence in a Southerly direction along the centre of said outlet as it runs a distance of 992 feet more or less to the North shore of Rockland Lake, said point being the Southwest corner of property herein described; thence Easterly to the East shore of said outlet; thence Northerly along said East bank of said stream 198 feet; thence South 84 degrees 15 minutes East 303.6 feet to land formerly of the heirs of George Smith, deceased; thence along said land North 30 minutes East 699.6 feet to the aforesaid centre line of highway leading from Congers Station to Rockland Lake (Lake Road) and being the Northeast corner of plot herein described; and running thence along the centre line of aforesaid highway North 69 degrees West 363 feet to the point or place of beginning and containing five acres, be the same more or less.

BOUNDED Northerly by the centre line of the aforesaid highway; Easterly by land formerly of the heirs of George Smith, deceased, and Southerly by the North shore of Rockland Lake and land of American Ice Company, and Westerly by land formerly of Elizabeth Junge.

FURTHER RESOLVED, that notice of said amendment be given by publishing and posting as required by law.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

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|----------------|-----|
| Mr. Schmersahl | Yes |
| Mr. Fibble | Yes |
| Mr. Welchman | Yes |
| Mr. Eberling | Yes |
| Mr. Dillon | Yes |

The Board then considered the application of Albert G. Lamborn for a change in the zoning of his property from Res. A to Bus. B district, the property being located at Congers.

Mr. Fibble moved the following resolution:-

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 13th day of May, 1949, provided for a public hearing on the 17th day of June, 1949, at the Office of the Town Clerk, Main Street, New City, New York, at 9:00 in the evening to consider the application of Albert G. Lamborn, to amend the Building Zone Ordinance for the said Town by redistricting the property of said petitioner from "Residence A" to "Business B", and,

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

NOW, THEREFORE, be it resolved that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the following described property from "Residence A" to "Business B".

ALL that certain lot, piece or parcel of land, situate, lying and being at Congers in the Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows, viz:-

BEGINNING at a point on the North side of Lake Road, said point being in the middle of Kill Von Beast Creek flowing from Rockland Lake to Swartwout Lake; thence in a Northerly direction along a line in the middle of said creek 1450 feet more or less to lands of DuBois; thence North 48 degrees East 160 feet to a point; thence North one degree 14 minutes East 96.8 feet to the Southerly side of Old Lake Road; thence along the Southerly side of Old Lake Road South 56 degrees 09 minutes East 100 feet to a point; thence South 22 degrees 49 minutes East 420 feet more or less to a point; thence South 3 degrees 17 minutes West 561 feet more or less to a point; thence South 6 degrees 47 minutes West 610 feet to a point; thence South 17 degrees 16 minutes West 93.8 feet more or less to a point on the Northerly side of Lake Road; thence in a Westerly direction along the Northerly side of Lake Road 370 feet more or less to the point or place of beginning.

FURTHER RESOLVED, that notice of said amendment be given by publishing and posting as required by law.

Seconded by Mr. Schmersahl

On roll call, the vote of the Board was as follows:-

| | |
|----------------|-----|
| Mr. Schmersahl | Yes |
| Mr. Fibble | Yes |
| Mr. Welchman | Yes |
| Mr. Eberling | Yes |
| Mr. Dillon | Yes |

The Board decided to reserve decision on the application of Arthur E. Snyder for a change of the zoning of his property at West Nyack from Res. A to Bus.B district.

Mr. Dillon presented an application in connection with the Nanuet Youth Recreation Center.

Mr. Schmersahl moved the following resolution:-

WHEREAS, it is the intention of the Town Board of the Town of Clarkstown to establish a Youth Recreation Center at Nanuet, and

WHEREAS, the Town of Clarkstown is about to submit an application for such a project to the New York State Youth Commission for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 556 of the Laws of 1945, as amended; now, therefore, be it

RESOLVED, that such application is in all respects approved and IRVIN F. DILLON, Supervisor of the Town of Clarkstown, is hereby directed and authorized to duly execute and to present said application to the New York State Youth Commission for its approval.

This resolution shall take effect immediately.

Seconded by Mr. Welchman

On roll call, the vote of the Board was as follows:-

| | |
|----------------|-----|
| Mr. Schmersahl | Yes |
| Mr. Fibble | Yes |
| Mr. Welchman | Yes |
| Mr. Eberling | Yes |
| Mr. Dillon | Yes |

Mr. Fibble then advised the Board that he had received complaints about people going through the red light at the intersection of Lake Rd. and 303 in Congers, and he asked what can be done to stop this condition.

After discussing the matter, the Board suggested to Mr. Fibble that he contact the Clarkstown police and ask them to check it.

There being no further business, Mr. Schmersahl moved adjournment.

Seconded by Mr. Eberling

Carried

Meeting adjourned.

Cora Martha MacLean
Town Clerk of Clarkstown