

PUBLIC HEARING

MAY 14, 1954

Town Clerk's Office

8:45 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it had been called to consider the application of Katherine Selb and Grace E. Myers for a change of zoning of their property at Nanuet from "Res. B" to "Res. C".

Mr. Dillon said that the Board would listen first to those in favor of the change and then to those in opposition.

Stephen G. Doig, Jr., came before the Board as representative for the petitioners. He said that his clients wish to convert the upper floor of their building into an apartment. Mr. Doig pointed out that the property is located on Church St. at Nanuet in a neighborhood composed of fairly large houses, many of which have already been converted into apartments. Mr. Doig said that the house is of sufficient size so that there would be no question of overcrowding.

Mr. Harold Ehrenberg of Nanuet came before the Board in opposition. Mr. Ehrenberg said that the application could be held in abeyance until the revision of the present zoning ordinance is complete. He said that the application constituted spot zoning and was against the best interests of proper planning. Mr. Ehrenberg also objected to the manner in which the matter had been publicized in the newspaper. He said that the notice of hearing was only published once and unless anyone interested saw it at that time, they would have no way of knowing about the application.

Mr. Doig said that it was not fair to his clients to hold the matter in abeyance until the zoning ordinance is revised. Mr. Doig expressed surprise at Mr. Ehrenberg's objections since the Ehrenberg house has three apartments/^{and} such a use is not permissible in a "Res. B" zone.

Mrs. Selb informed the Board that most of the neighborhood is made up of 3 and 4 family houses and the area is not a Class A residential neighborhood. She said that there is even some business development in the area.

There being no further discussion on the matter, Mr. Welchman moved that the Board reserve decision.

Seconded by Mr. Schmersahl.

Carried.

Hearing adjourned.

August W. Bowers

 Town Clerk of Clarkstown

PUBLIC HEARING

MAY 14, 1954

Town Clerk's Office

9:00 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the hearing to order explaining that it had been called to consider the application of Edna and Theodore Kronke for a change of zoning of their property at Bardonia from "Res. B" to "Bus. B".

Mr. Dillon said that the Board would listen first to those in favor of the change and then to those in opposition.

Mr. A. J. Bryan, Attorney for the petitioners, came before the Board. Mr. Bryan said that the petitioners property has been used for years by Richard Martin of Bardonia, as a Gas Station under a non-conforming use. He said that Mr. Martin wished to extend the present station and construct a larger, more modern station on the property.

No one appeared before the Board in opposition.

Mr. Fibble moved that the Board reserve decision.

Seconded by Mr. Schmersahl.

Carried.

Hearing adjourned.

August W. Hensen
Town Clerk of Clarkstown

TOWN BOARD MEETING

May 14, 1954.

Town Clerk's Office

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the meeting to order.

Mrs. Carmen Barone of Bardonia came before the Board as the representative of the Bardonia PTA. Mrs. Barone informed the Board that the PTA had received a letter from the State Department of Public Works regarding the sidewalk along Rt. 304 of Bardonia. She said that the State would not build the sidewalk but would issue a permit to the Town to construct it.

Mr. Dillon said that the previous District Engineer for the State had agreed to build the sidewalk if the people would grant the necessary rights of way. Mr. Dillon said that the Board realized the necessity for the sidewalk but they wished to place the responsibility for building it with the proper authorities. He said that it might be possible to form a sidewalk district for the construction.

Town Attorney Edward G. Roepe said that there are no longer any sidewalk districts provided for in the Town Law.

Arthur Hughes of Bardonia asked if the State had acquired the property at New City when the sidewalk was built.

Mr. Dillon said that the State had purchased the property and built the sidewalk.

Mr. Fibble said that some means must be found to build the sidewalk since it is very necessary due to the dangerous road condition.

Mrs. Barone said that they would be satisfied with a sidewalk on one side of the road from Germonds Rd. to Bardonia Rd.

Mr. Dillon said that he intends to go to Albany in the near future and he will contact representatives of the Dept. of Public Works to see what could be done. He said that he would contact Mrs. Barone and some member of the Men's Club on his return.

Mr. Victor Smith of New City came before the Board and complained about the condition of the roads in the new water district. He said that the Water Co. should be forced to repair the roads. Mr. Smith also submitted a complaint about the condition of the Cratch-Up Road at Centenary. He asked why the New York Trap Rock is permitted to block this road with screenings. He stated that the condition was very dangerous and has been in existence for some time. Mr. Smith said that too much favoritism is being shown the Trap Rock and he requested immediate action on the matter.

Supt. of Highways Emil Klein said that there were screenings on the road but that he intended to tar over them in the near future to overcome the hollow where the screenings had washed down.

Mr. Smith insisted that the situation be taken care of immediately and the

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Trap Rock made to keep the road clear.

Mr. Smith insisted that the situation be taken care of immediately and the Trap Rock made to keep the road clear.

Mr. Dillon instructed Mr. Klein to contact the Trap Rock and instruct them to keep the road clear of screenings.

Mr. Jack Nacheman of Nanuet came before the Board in regard to Sherwood Drive at Nanuet. Mr. Nacheman said that the turn around is now complete and Mr. Klein has inspected the Road. He said that the road has broke up in a few places, but the Contractor has promised to make the necessary repairs within a week.

Mr. Klein said that the road would be acceptable only after it has been repaired.

Mr. Dillon informed Mr. Nacheman that the Board would be meeting on May 21 and if the street was in acceptable condition by that date the Board would consider taking it over.

Mr. Robert L. Mooreof, Pierce St., Nanuet came before the Board. Mr. Moore said that he had applied for a building permit for construction on an unimproved road and it had been approved by the Town Board with the provision that he put in a road base in accordance with Town specifications. He said that it would cost him about \$1,500 to \$2,000 to put the road in and that the cost was prohibitive. He asked if the Board would authorize him to start building and put in the road at a later date since the present road is passable and has a good base.

Mr. Dillon said that the Board would consider the matter and notify him of their decision.

Mr. Albert Lamborn of Congers came before the Board. Mr. Lamborn said that he was acting as representative for 9 families who have been refused building permits for construction of homes on unimproved streets in his development. He said that the streets were built according to the old Town Specifications but had not been paved. Mr. Lamborn said that he had sold the lots to the people and many of them had not been financially able to build until just recently, and he asked the Board to grant relief in these cases.

Mr. Dillon suggested that Mr. Lamborn make up a map showing the lots in question and then discuss the situation with Mr. Klein and Mr. Waldron, who would in turn report back to the Board.

Mr. Louis Heydeman of Nanuet came before the Board and asked if he had the legal right as Civilian Defense Director, to pay rental for quarters for local CD units. He said that he was not sure of his legal standing in using CD funds for such a purpose.

Mr. Dillon informed him that as CD Director he has the authority to expend the Budget of \$1,000 and the payment of rent would be a proper expenditure.

Mr. Heydeman also informed the Board that the Nanuet Civic Assn. has gone on record as being in favor of Equalization. He said that the Nanuet school district has a serious school problem and is in need of another building but they are restricted by the debt limit under the present assessed valuation of the district.

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Mr. Dillon said that the matter of equalization will be discussed by the Board at a special meeting to be held in the near future.

Mr. Heydeman also informed the Board that James Cheyne of Strawberry Hill Lane has been erroneously assessed for the improvement of that street and he has asked a number of times to have the matter corrected.

Mr. Sillon said that a number of properties on Strawberry Hill Lane were erroneously assessed and the matter has been referred to the County Attorney by the Board of Supervisors and he should have a report very soon.

Mr. Harold R. Haskell of West Nyack came before the Board. Mr. Haskell said that large cement trucks have been travelling on Strawtown Rd. all day and far into the night and the situation has become very annoying. He said that such a practice is to be expected during the day but it should be prohibited during the night hours.

Mr. Dillon said that at one time Herbert Dahm of the West Nyack Trap Rock was going to build a road to re-route the traffic from his plant but it has been held up by one of the property owners.

Chief Wiebecke said that the increased activity was no doubt due to the Thruway. He said that when the contractors start pouring a concrete bridge form they usually try to finish the job even though it means pouring at night.

Mr. Dillon said that the matter would be looked into.

Supt. of Highways Emil Klein came before the Board in regard to criticism which had appeared in the Journal News by the North Clarkstown Civic Assn. He said that the conditions cited included sweeping rubbish off the road onto private property, removing stones from a stone wall and permitting water to flood private property and permitting tons of gravel to wash off the highway into a catch basin resulting in clogged drainage. Mr. Klein said that the road sweeper had never been on South Mountain Road. He said that he had spoken to Captain Jones regarding the wall on his property and Captain Jones informed him that the wall had been torn down by Jake Smith, who was Mr. Klein's predecessor. Mr. Klein said that the clogged drain was a matter for the State Highway Dept. since it occurred on the state highway.

Mr. Dillon read a letter from the New York Central Railroad assuring the Board that the Valley Cottage crossing would be repaired.

Mr. Dillon read a letter from the Spring Valley Water Co. informing the Board that more hydrants had been installed in the New City-West Nyack Water Supply District.

Mr. Dillon read letters from R. A. Hamilton, Contractor, A. B. Conway, Dist. Engineer for the Dept. of Public Works, and the Spring Valley Water Co. informing the Board that all roads within the new Water District would be repaired as soon as possible.

Mr. Dillon presented a petition signed by a number of Bardonia residents requesting the extension of the business zone along Route 304 at Bardonia.

The Board referred the petition to the Zoning Advisory Comm.

Mr. Dillon read a letter from the Trustees of the Germonds Church expressing their appreciation to the Board for the prompt action in having a hydrant installed on Germonds Rd.

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The monthly reports of the following Town Officials were approved and accepted:

Supervisor
Town Clerk
Bldg. Insp.

Police Dept.
Welfare Officer

Mr. Schmersahl moved the following resolution:

REPUBLICAN INSPECTORS OF ELECTIONS, 1954

Dist 1 New City	Marjorie R. Lanning Fred Seeger	Dist 8 Valley Cottage	Helen Klos Mabel Bierds
Dist 2 Rockland Lake	Mary E. Amar Agnes Bishock	Dist 9 Centenary	Edna Albrecht Rose Gibbons
Dist. 3 West Nyack	Minnie Petersen Ludlow Garrabrant	Dist 10 Spr. Valley	Ann Eckerson Harry Sergeant
Dist 4 Upper Nyack	Otis Gregory Edw. Gilhuley, Sr.	Dist 11 Bardonia	Margaret Meyer Frances Warner
Dist 5 Nanuet	Marian Herchneroder John H. Mshrtens	Dist 12 Nanuet	Norma Hayes Harold E. McLeod
Dist 6 Central Nyack	Elmer C. DeFlaun Leota Jansen	Dist 13 New City	Dorothy Baker Geo. F. Stuhmer Jr.
Dist 7 Congers	William Woltjen Frances Hague	Dist 14 Congers	Virginia Streit Betty E. Snyder

Above Inspectors of Elections appointed for a term one year,
commencing July 1, 1954

Seconded by Mr. Burleigh.

Carried.

Mr. Welchman moved the following resolution:

DEMOCRATIC INSPECTORS OF ELECTIONS, 1954

Dist 1 New City	Eileen Persen Anna Lynch	Dist 8 Valley Cottage	Helen Raggi Frances Allgor
Dist 2 Rockland Lake	Gertrude Gozza Marie Hanchar	Dist 9 Centenary	Nellie Hallam Mabel Clochessy
Dist 3 West Nyack	Evelyn Moyer Marion Miller	Dis Dist 10 Spr. Valley	Helen Blauvelt Minnie Stern
Dist 4 Upper Nyack	Elizabeth Kastner Ada McGrath	Dist 11 Bardonia	Elizabeth Fallon Helen Stevens
Dist 5 Nanuet	George Fee Marie Bannan	Dist 12 Nanuet	Kathryn Muller Helen Fee
Dist 6 Central Nyack	Gustav Winko Chas. T. Heinig	Dist 13 New City	Helen Hoag James Kelly
Dist 7 Congers	James Shortal Julia Brennan	Dist 14 Congers	Madeline Rose James Eldredge

Above Inspectors of Elections appointed for a term of one year,
commencing July 1st, 1954

Seconded by Mr. Fibble.

Carried.

Mr. Schmersahl moved the following resolution:

RESOLVED, that Emil Richter be appointed as Custodian of the Polls for Election District #14, Congers.

Seconded by Mr. Burleigh

Carried.

Mr. Dillon presented the application of Ethel Copas for a change of zoning of her property at Valley Cottage from "Res. B" to "Bus. B".

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Mr. Burleigh Moved the following resolution:

WHEREAS, ETHEL COPAS, has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the Said Town be amended by redistricting property of the said petitioner and in said petition described from "Residence B" to "Business B",

BE IT RESOLVED, that a public hearing pursuant to Section 265 and 264 of the Town Law be had at the office of the Town Clerk, Main Street, NewCity, New York, on the 4th day of June, 1954, at 8:30 P.M., Eastern Daylight Saving Time, relative to such proposed amendment, and it is,

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk. Seconded by Mr. Welchman

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Burleigh, Dillon.

NAYES: None.

The application of Congers Realty Co. for a change of zoning of property at Congers from "Res. A" to "Bus. A" was presented to the Board.

Mr. Burleigh moved the following resolution:

WHEREAS, CONGERS REALTY, INC., by Murray Stern, its President, has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described from "Residence A" to "Business A",

BE IT RESOLVED, that a public hearing pursuant to Section 265 and 264 of the Town Law be had at the office of the Town Clerk, Main Street, NewCity, New York, on the 4th day of June, 1954, at 8:45 P.M., Eastern Daylight Saving Time, relative to such proposed amendment, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Fibble, Burleigh, Welchman, Dillon.

NOES: None.

Mr. Welchman moved that the regular meetings of the Town Board for June, July and August be held on the first Friday of each month.

Seconded by Mr. Burleigh.

Carried.

Mr. Dillon read a letter from the Zoning Board of Appeals recommending the Re-appointment of W. Reginald Herdman as a member and Chairman of the Zoning Board of Appeals.

Mr. Schmersahl moved the following resolution:

RESOLVED, that W. Reginald Herman be appointed as a member of the Zoning Board of Appeals for the Town of Clarkstown for a five (5) year term, commencing on June 19, 1954, and ending on June 19, 1959, and,

FURTHER RESOLVED, that W. Reginald Herdman be appointed as Chairman of the

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Zoning Board of Appeals for a term of one (1) year beginning on June 19, 1954, and ending on June 19, 1955.

Seconded by Mr. Fibble.

Carried.

The Town Clerk was instructed to inform the Zoning Board that the recommendation for Chairman should not be made by them, since it is a matter which is entirely within the jurisdiction of the Town Board.

Mr. Dillon presented a petition signed by a number of residents of Bardonia and West Nyack protesting the establishment of a Day Camp on premises along Parrot Rd. Mr. Dillon said that the establishment of a Day Camp would require a Variance and it was not a matter for the Town Board to decide, but the Zoning Board of Appeals.

Mr. Dillon informed the Board that he had received a complaint from Dorothy Collins of Valley Cottage regarding the enumeration methods used by Charles Draudt in taking the Dog Census.

Mr. Dillon read a letter signed by Joseph Komonchak, William Muller and Alfred Barthel, requesting the Board to take their properties from the New City-West Nyack Water District and assess them under the East Nanuet Water District where they properly belong.

Mr. James Benzie, Assessor, informed the Board that the property owned by the three individuals are definitely within the New-City-West Nyack Water District and they have been assessed accordingly.

Mr. Dillon read a letter from the Planning Board approving an extension of the Oatley Sub-division at New City and enclosing a certified check to cover the cost of the roads.

Mr. Roepe said that a personal bond would also be necessary along with the certified check. He said that he would contact Mr. Oatley and have the matter taken care of.

Mr. Dillon presented a letter from the Planning Board approving the map of the Rose Developing Co, for Clover Heights at Nanuet.

Mr. Schmersahl moved that the Bonds of the Rose Developing Co. in the amount of \$3,7000 be approved as to form and sufficiency.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon read a letter from the Nanuet Civic Association urging the Board to institute a program to equalize assessments in the Town.

Mr. Dillon read a letter from the Planning Board informing the Board that since Mr. Klein is no longer approving drainage layouts for subdivisions, the Planning Board has been accepting the assurance of the subdivider's engineer that the drainage systems were constructed according to plan. The Planning Board urged the Town Board to take prompt action to appoint a Drainage Engineer for the Town.

The Town Clerk was instructed to notify the Planning Board that the procedure outlined in their letter would be satisfactory for the time being.

Chief Wiebecke informed the Board that two patrolmen on the Orangetown Police Dept. were being sued by an individual whom they had arrested for drunken driving. The Chief said that the patrolmen were being sued as individuals and not as Town employees and they were not covered by insurance carried by the Town. He

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asked if the Clarkstown Police were covered by a Town policy.

The Town Clerk was instructed to contact Insurance Agent Frank Zwahlen and ask for an opinion on the matter.

The Board approved and signed three applications for Street Opening Permits.

Councilman Burleigh informed the Board that he has received a number of complaints regarding speeding on Strawtown Rd.

Chief Wiebecke asked Mr. Burleigh to have the complainants contact the police direct in the event of a recurrence.

Mr. Welchman informed the Chief that cars are being parked on the curve at the top of Pipetown Hill Rd. at Spring Valley and they partially block the intersection.

Chief Wiebecke said he would have the matter looked into.

Mr. Fibble requested a larger sign on Lake Rd. at Congers directing traffic to Route 9W. He said that the present sign was too small and could hardly be seen by motorists.

The Town Clerk was instructed to forward the request to the County Supt. of Highways.

Mr. Dillon presented the Civil Service list containing the results of the examination for the position of Assessor. Mr. Dillon said that the list contained the name of only one eligible, Robert Maier of Nanuet.

Mr. Fibble moved the following resolution:

RESOLVED, that the Civil Service List containing the name on Robert Maier as the only eligible for appointment to the position of Assessor, be and the same is hereby rejected.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Fibble, Welchman, Schmersahl, Burleigh, Dillon.

NOES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that James Benzie of NewCity, be appointed as Assessor for the Town of Clarkstown, on a provisional basis, at an annual salary of \$4,500, and,

FURTHER RESOLVED, that this appointment take effect immediately.

Seconded by Mr. Schmersahl.

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

AYES: Messrs. Schmersahl, Fibble, Welchman, Burleigh, Dillon.

NOES: None.

Mr. Roepe reported to the Board regarding the inspection of places of public assembly ^{by} the Building Inspector. Mr. Roepe said that Section 472 of the Labor Law places the responsibility of enforcement with the Town.

The Town Clerk was instructed to notify Mr. Waldron and return the forms to his office.

The Town Clerk was instructed to contact Ward Pavements, Inc. and request a performance Bond for work on dickinson Ave. at Central Nyack.

Mr. Welchman then moved the following resolution:

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WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 22nd day of April, 1954, provided for a public hearing on the 14th day of May, 1954, at the office of the Town Clerk, Main Street, New City, New York, at 9:00 P.M., Eastern Daylight Saving Time, to consider the application of Edna M. Kronke and Theodore Kronke, to amend the Building Zone Ordinance for the said Town by re-districting the property of the said petitioners from "Residence B" 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 at Bardonia in said Town from "Residence B" to "Business B".

Beginning at a point marked by an iron pipe located on the easterly side of the New York State Highway Route 304, comonly known as the Nanuet-New City Road, said point being the northwest corner of the premises herein described and the southwest corner of other lands of T. Kronke, said point also being 137.52 feet distant measured southerly along the easterly line of Route 304 from the intersection of said easterly line of Route 304 with the southerly line of Bardonia Road; thence in an easterly direction along other lands of T. Kronke, South $69^{\circ} 33' 30''$ East a distance of 86.20 feet to an iron pipe and lands of E. Hamilton; thence along land of E. Hamilton South $6^{\circ} 31' 30''$ West a distance of 68.36 feet to an old iron pin located on the west side of the former Nanuet-New City Railroad; thence along the west side of Nanuet-New City Railroad South $35^{\circ} 31'$ West a distance of 86.62 feet to an iron pipe and other lands of T. Kronke; thence North $69^{\circ} 33' 30''$ West a distance of 80.03 feet to an iron pipe located on the east side of the New York State Highway Route 304; thence along the east side of the New York State Highway Route 304 $20^{\circ} 24' 30''$ East a distance of 150.0 feet to the point or place of beginning.

Seconded by Mr. Schmersahl.

Carried.

Bills Nos. 456 to 564 on Warrant #5 in the amount of \$7,992.36 were audited by the Board and ordered paid.

There being no further business to come before the Board, the meeting was adjourned.

August W. Hansen

 Town Clerk of Clarkstown