

PUBLIC HEARING

June 4, 1954

Town Clerk's Office

8:30 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 Ethel Copas for a change of zoning of her property at Valley Cottage from "Res. B" to "Bus. B".

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

Mr. Copas came before the Board and stated that he was operating a Restaurant on the premises and he wished to enlarge the present facilities. He said that the property was located at Valley Cottage on Route 303 and there were a number of other business' in the area.

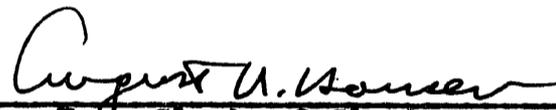
No one appeared before the Board in opposition to the application.

Mr. Welchman moved that the Board reserve decision on the matter.

Seconded by Mr. Fibble.

Carried.

Hearing closed.


Town Clerk of Clarkstown

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PUBLIC HEARING

June 4, 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 the Congers Realty Corp. for a change of zoning of property at Congers from "Res. A" to "Bus. A".

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

Mr. Jerome Trachtenberg, Attorney for the Petitioner, came before the Board. Mr. Trachtenberg stated that the property in question is located at the South end of Congers Lake and adjoins other property owned by the petitioner which is already in "Bus. A". Mr. Trachtenberg said that the property would be used for a Children's Summer Camp and would be in use about 8 weeks of the year. He said that the property was well suited for use as a Camp and would not be detrimental to surrounding properties. Mr. Trachtenberg said that the applicant, Murray Stern, had been granted a temporary building permit to store buildings on the property under a "No Allowed Use".

Mr. Burleigh said that one building has already been constructed, and asked if, in the event that the petition is denied, would the applicant remove the building.

Mr. Trachtenberg said that if the petition is denied, the building would be torn down.

Mr. E. Alfred Festa came before the Board in opposition. Mr. Festa said that he was representing Helen Gilchrest, who is an adjoining property owner. Mr. Festa also submitted petitions of protest bearing the signatures of 200 residents of Congers. Mr. Festa stated that he had investigated the circumstances under which the building permits had been issued to Congers Realty Corp. and he found that the permits were issued for a "No Allowed Use", to store buildings on the property. He said that he had never heard of storing buildings on foundations or issuing a building permit for a "No Allowed Use", and he added that no plot plan or sewage disposal plan had been submitted with the application. Mr. Festa stated that the Congers Realty Corp. is a profit making Stock Corp. and the permits were issued for a non-profit membership club.

Edward J. and Margaret Huffman of Valley Cottage appeared before the Board to protest the application. Mr. Huffman said that he owned property adjacent to the Stern property. He said that the development of the Stern property has caused a reduction in property values in the Congers and Valley Cottage area and the change would be detrimental to the Town.

Mr. Herbert Slade of Congers came before the Board in opposition. Mr. Slade said that the Congers Realty Corp. was a profit making organization and the development of the property should be restricted in accordance with the zoning regulations.

Mr. Elliot Turnbull of Congers came before the Board in opposition. Mr.

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Turnbull stated that he had bought property next to the Stern premises with full knowledge of the present camp, but he said that he was opposed to any further extension of these facilities. He said that the residence value of property along Gilchrest Road would be lost if the change were granted.

Mr. Albert Will of Congers stated that he had bought property in the neighborhood on the premise that it was a residential area and he was opposed to any further extension of the business zone.

Mr. Albert Epstein of Congers came before the Board in support of the application. He said that Mr. Stern's development of the property has benefitted Congers and he should be allowed to continue. He said that further development will bring increased revenue to the Town.

Mr. Trachtenberg stated that approximately 75 children would be housed on the premises and they would be supervised by trained teachers and instructors. Mr. Trachtenberg then added that in view of the opposition to the application, his client had advised him to withdraw the petition.

Mr. Fibble moved that the hearing be closed.

Seconded by Mr. Burleigh.

Carried.

Hearing closed.

August H. Hansen
Town Clerk of Clarkstown

TOWN BOARD MEETING

June 4, 1954

Town Clerk's Office

8:15 P.M.

Present: Mr. Schmersahl

Mr. Fibble

Mr. Welchman

Mr. Burleigh

Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. J. Nacheman of Nanuet came before the Board. Mr. Nacheman requested immediate action by the Board to accept Sherwood Drive at Nanuet as a Town road. He said that Mr. Klein had reported that the road was acceptable and now he insists on further patching and drainage work. Mr. Nacheman said that no further work was necessary to make the road acceptable and he saw no reason for putting the matter off.

Mr. Welchman said that Mr. Klein had informed him that water was coming up through the pavement and the road was not properly drained.

Mr. Burleigh stated that the Board should not accept the road until Mr. Klein has reported further on its condition.

Mr. Dillon informed Mr. Nacheman that if there is a drainage problem, the Board will not accept the road. He said that Mr. Klein will have to approve the construction before the Board will accept the Deed, and he suggested that the members of the Town Board, Mr. Klein and Mr. Nacheman personally inspect the road so that the matter will be settled once and for all. The Town Clerk was instructed to notify Mr. Nacheman when the Board would make the inspection.

Mr. James Caristi of Congers came before the Board in regard to the Ford House at Congers, and he asked if the Board had taken any action on the matter.

Mr. Dillon informed him that the Building Inspector had not submitted his report as yet.

Mr. Dillon informed the Board that Harold Dhrenberg of Nanuet had withdrawn his objections to the application of Katherine Selb and Grace Myers for a change of zoning of their property at Nanuet.

Mr. Burleigh moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on April 9th, 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 8:45 P.M., Eastern Daylight Saving Time, to consider the application of Katherine H. Selb and Grace E. Myers to amend the Building Zone Ordinance for the said Town by redistricting the property of the said petitioners from "Residence B" to "Residence C" hereinafter set forth, 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 Nanuet, in said Town, from "Residence B" to "Residence C".

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BEGINNING at a point in the center of Church Street where the same is intersected by the division line between premises of Gustav H. Horn and lands now or formerly of J. DeGraw and which point is 289 feet easterly along the northerly side of Church Street from the intersection of the easterly line of College Avenue with the northerly line of Church Street, and running thence (1) along said division line North $0^{\circ} 45'$ East 276.5 feet; then (2) North $89^{\circ} 15'$ West 131.8 feet; thence (3) South $0^{\circ} 45'$ West passing through a stake to an iron pipe 121 feet; thence (4) North $86^{\circ} 20'$ West 10 feet to an iron pipe; thence (5) South $3^{\circ} 40'$ West 141.5 feet passing through an iron pipe to the center line of Church Street; thence (6) along the center line of Church Street, South $80^{\circ} 40'$ East 149 feet to the place of beginning.

Seconded by Mr. Schmersahl.

Carried.

The Board then held a public hearing on the application of Ethel Copas for a change of zoning of her property at Valley Cottage to "Bus. B".

After hearing all persons interested in the application, the Board returned to a regular Town Board meeting.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 14th day of May, 1954, provided for a public hearing on the 4th day of June, 1954, at the office of the Town Clerk, Main Street, NewCity, New York, at 8:30 P.M. Eastern Daylight Saving Time, to consider the application of Ethel Copas to amend the Building Zone Ordinance for the said Town by redistricting the property of the said petitioner from "Residence B" to "Business B" as hereinafter set forth, 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 Valley Cottage, in said Town, from "Residence B" to "Business B",

BEGINNING at a concrete monument situated at the west line of Brookside Avenue and the northerly line of Route 303; thence running in a southwest direction along the west line of Route 303, South $26^{\circ} 08'$ West a distance of 139.9 feet to a concrete monument in the west line of Route 303, thence continuing from said concrete monument in a southwesterly direction along the west line of Route 303 South $48^{\circ} 24'$ West a distance of 101.8 feet; thence turning and running in a northerly direction North $10^{\circ} 17'$ West, a distance of 195 feet to lands of Eva Tremper; thence turning and running in an easterly direction along lands of Eva Tremper North $79^{\circ} 43'$ East a distance of 170 feet to an iron pipe in the West line of Brookside Avenue; thence turning and running in a southerly direction along the West line of Brookside Avenue 29.5 feet to the concrete monument at the point or place of beginning.

Seconded by Mr. Fibble.

Carried.

Mr. Burleigh moved the following resolution:

RESOLVED, that the Building Inspector be directed to issue Building Permits for the construction of dwellings, to Richard Spillman, Ristol Parker and E. B. Smith, provided that they first build a road 15 foot in width, grade same and lay three inches of shoulder stone.

Seconded by Mr. Fibble.

Carried.

The Board then held a public hearing on the application of Congers Realty Corp. for a change of zoning of their property at Congers from "Res. A" to "Bus. A".

The application was withdrawn by the applicant due to the opposition of a number of Congers residents, and the Board returned to a regular Town Board meeting.

Mr. Fibble moved the following resolution:

RESOLVED, THAT THE RESOLUTION OF THE Town Board dated April 22, 1954, granting a building permit to Walter Pabst of Congers, provided he installs a 20 foot road in front of his property, be amended, and the width of the road be reduced

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from 20 feet to 15 feet.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon read a letter from the Spring Valley Water Co. advising the Board of additional hydrants which were ready for service in the New-City-West Nyack Water District. The Town Clerk was instructed to notify the Fire Chiefs of the hydrants which were ready for use.

The Board approved the Performance Bond of Ward Pavements for the construction of Dickinson Ave.

Mr. Dillon read a letter from Albert Lamborn of Congers requesting the Board to direct the Building Inspector to issue Building Permits to a number of people who had purchased property from him.

The Town Clerk was instructed to advise Mr. Lamborn to make application to the Planning Board of Zoning Board of Appeals.

Mr. Dillon presented a copy of a resolution adopted by the Zoning Board of Appeals directing the Building Inspector to issue a Building Permit to Richard Miller of West Nyack.

The Bond of Wallace Kramer and Edward Young for the continuation of Grace St. at Nanuet was referred to the Town Attorney.

The Board approved the Bond of Frank's Construction Corp. in the amount of \$6,000 for James Drive and Doris Drive at Nanuet.

Mr. Dillon presented the Bond for B. W. Oatley for roads in New City. Mr. Dillon said that he had also received a check from the Planning Board in the amount of \$3,250 but it had been made out to the Clarkstown Planning Board and it would have to be returned and a new check requested made out to the Supervisor.

Mr. Dillon presented a petition and Survey for the establishment of a sewer district at Valley Cottage.

Mr. Welchman moved the following Order.

WHEREAS, a written petition, dated June 2nd, 1954, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the establishment of a Sewer District at Valley Cottage in the said Town, to be bounded and described as follows:

BEGINNING at the northeast corner thereof at a point being the intersection of the west side of New York State Highway No. 1295, (Route 9W), with the south side of Lake Road leading to Valley Cottage; thence running in a southerly direction along the west side of Route 9W, South $5^{\circ} 48' 40''$ West, 726.38 feet to a monument and lands now or formerly of Van Ness; thence the following courses and distances: (1) along said last mentioned lands South $87^{\circ} 52' 10''$ West, 152.83 feet to a monument, (2) South $8^{\circ} 17' 50''$ West, 183.70 feet to a monument, (3) South $2^{\circ} 25' 45''$ East, 90.93 feet to a monument, (4) South $3^{\circ} 51' 35''$ West, 475.05 feet to a monument, (5) South $76^{\circ} 29' 40''$ East, 130.24 feet to a monument, (6) South $13^{\circ} 19'$ East, 616.20 feet along a line of cedar posts and hedge to a monument on the west side of Route 9W; thence along the west side of Route 9W on a curve to the right, having a radius of 516 feet, a distance of 191.88 feet to a monument; thence still along Route 9W, South $38^{\circ} 55'$ West, 242.29 feet to a monument and lands now or formerly of White; Thence along said last mentioned lands the following courses and distances: (1) North $11^{\circ} 17' 10''$ West, 131.46 feet to a cut on a rock, (2) South $71^{\circ} 52' 30''$ West, 363.62 feet to a cut on a rock (3) South $4^{\circ} 18'$ West, 147.65 feet to a cut on a rock, (4) South $19^{\circ} 03' 10''$ West, 322.08 feet to a cut on a rock, (5) South $14^{\circ} 39' 40''$ East, 236.58 feet to a cut on a rock (6) North $60^{\circ} 34'$ East 32.73 feet to a monument on the west side of Route 9W; thence continuing along the west side of Route 9W the following courses and distances: (1) South $12^{\circ} 17'$ West, 307.18 feet to a monument, (2) South $35^{\circ} 45'$ West, 194.86 feet to a monument, (3) South $54^{\circ} 28' 50''$ West 84.11 feet to a monument; thence North $34^{\circ} 07' 30''$ West, 79.96 feet to an old iron pipe, thence South $61^{\circ} 18' 30''$ West, 130.53 feet to an old iron pipe and the southwest corner of the within described premises; thence running along lands now or

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formerly of Reed the following courses and distances: (1) North $6^{\circ} 58' 27''$ West, 156.30 feet to an old iron pipe, (2) North $8^{\circ} 02' 20''$ West, 402.80 feet to an old iron pipe, (3) North $5^{\circ} 25' 14''$ West, 702.58 feet to an old iron pipe, (4) North $6^{\circ} 42' 04''$ West, 1061.43 feet to an iron pipe and the southerly side of Lake Road; thence running along the southerly side of Lake Road in a northeasterly direction the following courses and distances: (1) North $51^{\circ} 41' 10''$ East, 295.69 feet to a monument, (2) on a curve to the left, having a radius of 298.96 feet, a distance of 113.88 feet to a monument, (3) North $29^{\circ} 53' 40''$ East, 135.33 feet to a monument, (4) on a curve to the left, having a radius of 237.94 feet, a distance of 80.08 feet to a monument; (5) North $10^{\circ} 35' 45''$ East, 150.71 feet to a monument, (6) on a curve to the right having a radius of 149.74 feet, a distance of 127.30 feet to a monument, (7) North $59^{\circ} 19' 10''$ East, 168.78 feet to a monument, (8) North $49^{\circ} 59' 50''$ East, 133.66 feet to an iron bolt, (9) North $20^{\circ} 57' 20''$ East, 197.14 feet to a monument, (10) North $21^{\circ} 42' 50''$ East, 122.74 feet to a monument, (11) on a curve to the right, having a radius of 175.09 feet, a distance of 199.04 feet to a monument, (12) North $86^{\circ} 51'$ East, 189.36 feet to an iron pipe, (13) North $89^{\circ} 48' 30''$ East, 93 feet to an iron pipe, (14) North $79^{\circ} 58' 30''$ East, 28.17 feet to the point or place of beginning.

WHEREAS, the improvements proposed consist of the erection, construction and maintenance of a sewerage system, to serve the said district, including main and lateral sewers, treatment beds and all incidental equipment, including the acquisition of the necessary lands and rights of way therefor, in accordance with certain plans made a part of such petition now on file in the office of the Town Clerk of the said Town; and

WHEREAS, the maximum amount proposed to be expended for the improvement as stated in the said petition is None, it is hereby

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the office of the Town Clerk in New City, New York, on the 2nd day of July, 1954 at 8:30 o'clock, Eastern Daylight Saving Time, in the afternoon of that day, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Seconded by Mr. Burleigh.

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

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

NOES: None.

Mr. Dillon read a letter from the Planning Board informing the Town Board that Norman Tveit of New City had withdrawn his application for a subdivision and requesting the return to Mr. Tveit of the \$25. fee.

Mr. Welchman moved the following resolution:

RESOLVED, that Supervisor Irvin F. Dillon be authorized to return the sum of \$25.00 to Norman Tveit of New City.

Seconded by Mr. Burleigh.

Carried.

Mr. Dillon read a letter from Rockland Coaches of Spring Valley informing the Board of increased rates for Bus service.

Mr. Burleigh moved the following resolution:

RESOLVED, that Town Clerk August H. Hansen be granted permission to attend, at Town expense, the Town Clerk's School to be held at Ithaca, New York, on June 21, 22 and 23rd.

Seconded by Mr. Fibble.

Carried.

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Mr. Dillon read a letter from the Public Service Comm. requesting the Town to install "Approach Warning" signs at the Erie railroad crossing on Church St, Nanuet.

The matter was referred to Supt. of Highways Klein.

Mr. Dillon read a letter from the Valley Cottage Fire Comm. advising the Board that property within the Valley Cottage Fire District was being erroneously assessed in the West Nyack District. Mr. Dillon informed the Board that the matter had been taken care of by the Assessor.

The Town Clerk was instructed to notify the Zoning Board of Appeals that all future Street Bonds in connection with 280-A of the Town Law should be referred to the Town Attorney for approval as to form and sufficiency, after which they should be filed with the Town Clerk.

Mr. Schmersahl requested the Town Clerk to inquire of the State Traffic Comm. what the disposition of the Town Board's request was for a traffic light at the intersection of Main St. and Prospect Ave. at Nanuet.

Mr. Schmersahl requested that the Supt. of Highways be reminded of the Slow signs on Brewery Road since cars were still speeding on the road.

Mr. Schmersahl also stated that there was a pipe under Nanuet Ave. at Nanuet and water from the pipe was running on property of Andrew Verville.

The matter was referred to Mr. Klein.

Mr. Roepe said that expenses incurred at the Town Dump including the Building and labor for erecting it would have to be considered by the Board, and he suggested either a Capital Note or a Budget Note for this purpose, since there were no funds available.

Mr. Roepe was requested to prepare the proper resolution and present it at at the next meeting.

Mr. Welchman moved the following resolution:

RESOLVED, that street lights be placed on Poles 2 & 5 on Jerry's Ave., Nanuet, and Rockland Light & Power Co. be requested to make the installation as soon as possible.

Seconded by Mr. Fibble.

Carried.

Mr. Welchman moved the following resolution:

RESOLVED, that a hydrant be installed on Jerry's Ave., Nanuet, and Spring Valley Water Works & Supply Co. be requested to make the necessary installation.

Seconded by Mr. Schmersahl.

Carried.

Mr. Burleigh informed the Board that the sidewalk has been torn up along Strawtown Road, West Nyack, at the site of the Thruway Overpass and he requested that the Board take action to have it restored to its original state.

Mr. Dillon said that he would check with the County Engineer and have the matter taken care of.

The Board instructed the Town Clerk to write to the State Traffic Comm. and renew the request for a Blinker light on Route 303 at its intersection with Snake Hill Rd.

Mr. Dillon informed the Board that a Special meeting would be held in his office on June 24, 1954, at 8:00 P.M. to discuss the Tax Map specifications.

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The Town Clerk was instructed to write to the Water Co. and request that roads in the NewCity-West Nyack Water District be repaired at the earliest possible date.

Mr. Roepe reported to the Board in regard to the payment of rent for Civilian Defense quarters by the Civil Defense Director. He said that it was a problem for the County Director and suggested that Town Director Louis Heydeman be notified to take the matter up with the County Director.

Mr. Roepe also reported on the matter of heavy trucking on Town roads during evening hours. He said that the Town may adopt an ordinance regulating the hours that trucks may travel the highways.

Mr. Roepe also reported on the matter of sidewalks along Route 304 at Bardonia. He said that the Town may build it and assess the property owners for the cost, or the County may be requested to construct the sidewalk and the Town would reimburse the County for 35% of the cost.

After discussion, the Board decided to request the County to construct the sidewalk.

Mr. Welchman moved the following resolution:

RESOLVED, that pursuant to the provisions of Section 54, Highway Law, this Town Board requests the Board of Supervisors of the County of Rockland to construct a walk or path for pedestrians along State Highway No. 9005, (Route 304) at Bardonia, in the Town of Clarkstown from the intersection of Ludvigh Road with State Highway, running northerly from said intersection to the intersection of said State Highway with Germonds Road, said walk or path to be constructed on the westerly side of said State Highway, and it is further

RESOLVED, that the Supervisor submit a duly certified copy of this resolution to said Board of Supervisors.

Seconded by Mr. Schmersahl.

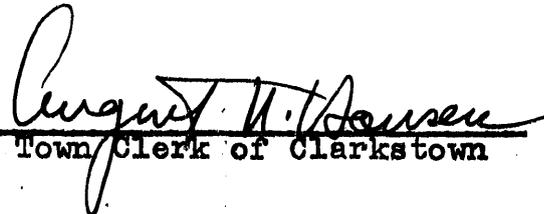
On roll call, the vote of the Board was as follows:

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

NOES: None.

Bills Nos. 565 to 665 on Warrant #6 in the amount of \$41,551.10 were audited by the Board and ordered paid.

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


Town Clerk of Clarkstown