

## PUBLIC HEARING

November 23, 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 Alexander Resin for a change of zoning of his property at Nanuet from "Res. A" and "Bus. A" to "Bus. B".

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

Mr. Jacob Wexler came before the Board as Attorney for the Petitioner. Mr. Wexler said that the property is located on the south side of Route 59 at Nanuet west of the railroad and has a frontage of about 500 feet and is 500 feet deep. He said that his client wished to build a shopping center on the premises and has requested a change for the entire parcel so that sufficient parking facilities can be provided to get all cars off of Route 59.

Mr. Paul Levine of Spring Valley also appeared before the Board in favor of the change.

Mr. Samuel L. Gunn of Nanuet came before the Board in opposition to the change. Mr. Gunn informed the Board that he represented a group of residents of the area who were opposed to any changes to business along Route 59 to a depth of more than 200 feet. Mr. Gunn said that a change to a depth of more than 200 feet would encroach on residential property and would be detrimental to property values. Mr. Gunn stated that one of the objectors lived immediately adjacent to the Resin property and if the change were granted she would be completely surrounded by business and the residential value of her property destroyed. Mr. Gunn said that the group he represents has objected in the past to other applications in the area, and while they are not opposed to normal business development, they are opposed to deep business penetrations in residential areas where they have their homes.

The following residents of Nanuet registered their objections to the application:

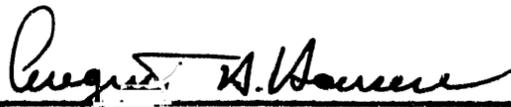
R. D. Linton - Grandview Ave.  
 Marvin Wild - " "  
 Louis Pritz " "  
 Ethel Perper - 221 W. Route 59  
 Nicholas Hlipala - Judith St.

Mr. Gunn presented petitions in opposition signed by approximately 30 residents of the area.

Mr. Wexler came before the Board in rebuttal and protested that a change to a 200 foot depth would not be sufficient for the type of shopping center planned by his client and he requested that the entire parcel be rezoned.

Mr. Welchman moved that the hearing be closed and the Board reserve decision.  
 Seconded by Mr. Fibble. Carried.

Hearing closed.

  
 Town Clerk of Clarkstown

## TOWN BOARD MEETING (Special)

November 23, 1954

Town Clerk's Office

8:30 P.M.

Present: Mr. Schmersahl  
Mr. Fibble  
Mr. Welchman  
Mr. Burleigh  
Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. Dillon informed the Board that only one bid had been received for Police Cars from Burnweit Motors.

The Burnweit Bid offered 4 1955 Pontiac 860 V-8's for a total of \$9,754.60 less \$4,254.60 trade in on 3 1954 Pontiacs, making a total cost to the Town of \$5,500. The Burnweit bid also offered Hydramatic Drive at \$165.00 additional in each car.

Mr. Burleigh moved the following resolution:

RESOLVED, that the Bid of Burnweit Motors, Inc., be and it hereby is accepted and the Chief of Police be authorized to purchase the following equipment:

4 1955 Pontiac 860 V-8 4 Door Sedans equipped with Heaters, Defrosters, Directional signal lights, Electric Clocks, Back up lights, Nylon or Plastic Seat Covers, Aux. 6 volt generator and 6 volt battery, and including installation of sirens. One car to be equipped with Hydramatic Transmission.

Total cost \$5,665.00

Seconded by Mr. Welchman.

Carried.

Mr. A. Blumenthal of Quaspeck Homes, Inc. came before the Board in regard to the Valley Cottage Sewer District. Mr. Blumenthal said that plans and specifications for the District have been completely and are ready to be submitted to the State Health Dept. for approval. He stated that in order for a permit to be granted to treat sewage, the application must be made by the Town since the State will not grant a permit to a private corporation.

The Town Attorney advised the Board that the application had nothing to do with the actual construction of the plant but was only for the approval of plans and for the treatment of sewage.

Mr. Welchman suggested that the Supervisor and the Town Attorney meet with the Engineer and discuss the matter.

Mr. Fibble moved the following resolution:

RESOLVED, that the Supervisor and Town Attorney confer with the Engineer for the Valley Cottage Sewer District and after such consultation the Supervisor be authorized to execute the necessary applications for the approval of plans and the treatment of sewage.

Seconded by Mr. Schmersahl.

Carried.

The Board then discussed the application of Alexander Resin on which a public hearing had been held. After discussion it was decided to grant the application for a depth of 200 feet along Route 59.

Mr. Schmersahl moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 4th day of November, 1954, provided for a public hearing on the 23rd day of November, 1954, at the office of the Town Clerk, Main Street, New City, New York at 8:30 P.M., Eastern Standard Time, to consider the application of Alexander W. Resin, Benjamin Ash, Morris Roth and Isidore Lorber, to amend the Building Zone Ordinance for the said Town by redis-

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tricting the property of the said petitioners from "Residence A" and "Business 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 at Nanuet in said Town from "Residence A" and "Business A" to "Business B".

The northerly 200 feet measured at right angles to the southerly line of Route 59 of the following described parcel:

BEGINNING at a point marked by a concrete monument on the south side of Route 59, in said Town, and which concrete monument is 50.27 feet on a course of South  $42^{\circ} 20'$  East, then 86.20 feet on a course of South  $62^{\circ} 50'$  East from the west side of the New York, New Jersey Railroad Company branch of the Erie Railroad; thence (1) in a westerly direction on a course of North  $86^{\circ} 10' 20''$  West along a stone wall 255.50 feet to a point marked by an iron pin; thence (2) in a southerly direction on a course of South  $11^{\circ} 53'$  West 193 feet along the westerly boundary of land now or formerly of Berry to a point marked by an iron pin; thence (3) in a westerly direction on a course of North  $83^{\circ} 03'$  West 421 feet to a point marked by an iron pin which point is the intersection of lands now or formerly of Berry and lands now or formerly of Bedard and former lands of Kraueter; thence (4) in a northerly direction along the easterly side of lands now or formerly of Bedard, formerly of Kraueter, North  $3^{\circ} 42' 40''$  East 263.61 feet to a point marked by a stake; thence (5) in an easterly direction along the southerly side of lands now or formerly of Halpern on a course of South  $87^{\circ} 53' 05''$  East 94.48 feet to a point marked by an old stake; thence (6) in a northerly direction along the easterly boundary of lands now or formerly of Halpern on a course of North  $36^{\circ} 26' 40''$  East along a wire fence 268.83 feet to a point marked by an old stake; thence (7) still in the same direction on a course of North  $35^{\circ} 54' 55''$  East 5.23 feet to a point on the south side of Route 59; thence (8) in an easterly direction along the south side of Route 59 also marked as State Highway 5504 on a course of South  $51^{\circ} 32' 05''$  East 525.43 feet to a point; thence (9) in an easterly direction on a course of South  $39^{\circ} 46'$  East 42.10 feet to the point or place of beginning.

Seconded by Mr. Welchman.

Carried.

The Board then discussed the application of Matt Soncini for a change of zoning of his property at Nanuet on which a public hearing had recently been held.

Mr. Burleigh moved the following resolution:

RESOLVED, that the application of Matt Soncini for a change of zoning of his property at Nanuet from "Bus A" to Bus. B" be and it hereby is denied without prejudice.

Seconded by Mr. Welchman

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

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

NOES: None.

Mr. Dillon informed the Board that some departments have been making purchases of equipment without first obtaining permission from the Board, and the practice should be stopped.

Mr. Welchman moved that the Town Clerk be instructed to notify all Department heads that no purchases are to be made in the future without authorization of the Board.

Seconded by Mr. Schmersahl.

Carried.

The Board and the Town Attorney discussed the request of Jack Nacheman of Nanuet for the removal of a street from a filed map. Mr. Roepe advised the Board that it was within their jurisdiction to remove a street from a filed map or to give their consent to the Planning Board for such removal.

Mr. Burleigh moved the following resolution:

RESOLVED, that the Planning Board of the Town of Clarkstown be and it hereby is authorized and empowered to approve or disapprove changes in the lines of existing

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streets, highways or public areas shown on subdivision plates or maps filed in the County Clerk's office in the County of Rockland, provided such existing streets or highways are not streets or highways maintained by the Town of Clarkstown.

Seconded by Mr. Welchman.

Carried.

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

August W. Hansen  
Town Clerk of Clarkstown

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