

## PUBLIC HEARING

May 13, 1955

Town Clerk's Office

8:00 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 Marie Leo for a change of zoning of her property at Nanuet from "Res. B" to "Bus. B". Mr. Dillon said that the Board would listen first to those in favor of the petition and then to those in opposition.

Mr. Stephen G. Doig, Jr., Attorney for the petitioner, came before the Board. Mr. Doig said that the property in question was located on Demarest Ave. at Nanuet, and fronted 100 feet on Prospect St. and 150 feet on Demarest Ave. He said that the change had been requested so that a new Post Office could be located on the property.

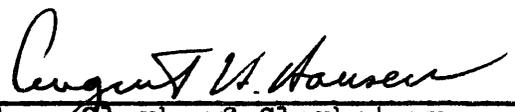
No one appeared before the Board in opposition.

Mr. Welchman moved that the Board reserve decision and the hearing be closed.

Seconded by Mr. Fibble.

Carried.

Hearing closed.

  
Town Clerk of Clarkstown

## TOWN BOARD MEETING

May 13, 1955

Town Clerk's Office

7:30 P.M.

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

Mr. Dillon called the meeting to order.

Mr. Welchman moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Fibble.

Carried.

Mr. Dillon presented a request from Gunner Petersen, Director of the New City Legion Band, to close off Maple Ave. between Congers Rd. and Demarest Ave. on Wednesday evenings from 6:30 to 8:30 so that traffic would not interfere with Band practice.

Mr. Burleigh moved that the Sup. of Highways be requested to close the road between the hours of 6:30 P.M. and 8:30 P.M. on Wednesday evenings.

Seconded by Mr. Fibble.

Carried.

Mr. Welchman reported that there was an open well on Lots # 380 and 381 in the Boston Improvement at Congers and he asked if anything could be done to have it filled in.

Mr. Dillon said that he would speak to the County Engineer and ask him to look at the well. He said that it might be possible to fill the hole in.

The monthly reports of the following Town Officers were presented to the

Board:	Supervisor	Police Dept.
	Town Clerk	Welfare Officer
	Building Inspector	Planning Board

Mr. Fibble moved that the reports be accepted.

Seconded by Mr. Burleigh.

Carried.

Mr. W. Reginald Herdman, Chairman of the Zoning Advisory Comm., and Richard May, County Planning Director, came before the Board. Mr. Herdman stated that he had attended the meeting to present the new proposed Zoning Ordinance and the new Map to the Board. He said that after many months of work and a number of public hearings, the Ordinance was now ready to be submitted to the Town Board for their consideration.

Mr. Dillon accepted the Ordinance and the map on behalf of the Town Board. He also informed Mr. Herdman that both he and the other members of the Town Board fully appreciated the efforts of the Zoning Advisory Comm., and he commended them for an excellent job.

Mr. Herdman asked Mr. Dillon if the members of the Committee would be permitted to sit with the Town Board when the public hearing was held.

Mr. Dillon said that the Town Board would be pleased to have the committee present at the hearing.

Mr. Alan Anderson of South Mountain Rd. asked the Board when the hearing would be held on the Ordinance.

Mr. Dillon said that the hearing would be set as soon as possible, probably sometime in June.

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Mr. Anderson also asked if any progress had been made in placing 30 MPH speed restrictions on South Mountain Rd. and Zukor Rd.

Mr. Dillon said that the State Traffic Commission had denied the request for the speed restrictions on these roads.

Mr. Klein reported that the 30 MPH sign had been replaced on Germonds Rd.

Mr. Klein said that he had contacted Mr. Shapiro and Mr. Blumenthal of Quaspeck Homes at Valley Cottage in reference to keeping Lakd road clean and free of dirt and obstructions, and they had agreed to take care of it. However, Mr. Klein added, the Water Company would be laying water mains along Lake Road to Rockland Lake in the near future and the condition of the road would probably be much worse than it is now, at least for a time.

The Town Clerk was instructed to write to Assemblyman Walmsley and request several copies of the Bill permitting Towns to establish Sidewalk Districts.

Mr. Dillon read to the Board a report from Bldg. Insp. Karl Schumacher regarding the Rogers Dog Kennel at New City. In his report Mr. Schumacher stated that it was obvious that the premises were being used for commercial purposes in defiance of an Injunction which had been granted by the Supreme Court.

The Board instructed Town Attorney Edward G. Roepe to check on possible legal action in this matter and report back at the next meeting.

Mr. Burleigh asked if any progress had been made in having the unsafe structure removed from the property of the late Raymond Jones at West Nyack.

The Clerk was instructed to write to the County Treasurer and ask if the property had been sold, and if so, whether the new owner was aware that the house had been condemned.

Mr. Schumacher requested the Board to authorize the prosecution of a continued violation on the Lilly Lodge, owned by Jack Perle, at Valley Cottage.

Mr. Welchman moved the following resolution:

RESOLVED, that Town Attorney Edward G. Roepe be instructed to take the necessary legal action to bring about the abatement of violations in existence on property owned by Jack Perle at Valley Cottage.

Seconded by Mr. Schmersahl.

Carried.

Mr. Dillon read a letter from H. B. Tucker of the New York Central System informing the Board that the necessary repairs had been made to the crossing on Lake Road, Congers.

The Building Inspector reported that a violation on the Paul Perry property at West Nyack had been removed.

Mr. Dillon presented the list of Republican Inspectors of Election.

Mr. Welchman moved the following resolution:

RESOLVED that the following list of Republican Inspectors be appointed:

Dist. 1, New City	Marjorie R. Lanning Fred Seeger
Dist. 2, Rockland Lake	Robert L. Dunham Agnes Bishock
Dist. 3, West Nyack	Minnie Petersen Ludlow Garrabrant

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Dist. 4, Upper Nyack	Otis Gregory Edw. Gilhuley, Sr.
Dist. 5, Nanuet	Edna Maisch George V. Rouse
Dist. 6, Central Nyack	Elmer C. DeFlaun Leota Jansen
Dist. 7, Congers	William Woltjen Frances Hague
Dist. 8, Valley Cottage	Helen Klos Mabel Bierds
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Dist. 9, Centenary	Helen Arbeides Loriens Knapp
Dist. 10, Spring Valley	Ann Eckerson Harry Sergeant
Dist 11, Bardonia	Margaret Meyer Frances Warner
Dist 12, Nanuet	Norma Hayes Harold E. McLeod
Dist. 13, New City	Dorothy Baker Jay C. Northrup
Dist. 14, Congers	Virginia Streit Betty E. Snyder

Seconded by Mr. Fibble.

Carried.

Mr. Dillon presented the list of Democratic Inspectors of Election.

Mr. Schmersahl moved the following resolution:

RESOLVED that the following list of Democratic Inspectors be appointed:

Dist. 1, New City	Eileen Persen Mitálda Carney.
Dist. 2, Rockland Lake	Gertrude Gozza Marie Hancher
Dist. 3, West Nyack	Evelyn Moyer Gretchen Eagan
Dist. 4, Upper Nyack	Elizabeth Kastner Ada McGrath
Dist. 5, Nanuet	George Fee Marie Bannon
Dist. 6, Central Nyack	Gustav Winko Charles T. Heinig
Dist. 7, Congers	James Shortal Edyth Gleason
Dist. 8, Valley Cottage	Helen Raggi Frances Allgor
Dist. 9, Centenary	Nellie Hallam Mabel Clochessy
Dist. 10, Spring Valley	Helen Blauvelt Minnie Stern
Dist. 11, Bardonia	Elizabeth Fallon Helen Steven
Dist 12, Nanuet	Kathryn Muller Helen Fee
Dist 13, New City	Helen Hoag James Kelly
Dist 14, Congers	Madeline Rose James Eldredge

Seconded by Mr. Fibble.

Carried.

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Mr. Dillon read a letter from the Central Clarkstown Residents Association asking the Board if Assessor Doyle Brannon intends to devote full time to his job.

The Clerk was instructed to advise the Association that Mr. Brannon was devoting his full time to the job, and that the Town was fortunate in having such a competent individual as Assessor.

Mr. Dillon read a letter from Assessor Doyle Brannon requested permission to hire an assistant. Mr. Brannon stated in his letter that there was quite a back log of work and he would be unable to finish it in time for the new Tax Roll.

Mr. Dillon said that former Assessor James Benzie might be able to help out for a short time and he would speak to him about it.

Mr. Dillon read a telegram from J. L. Jacobs requesting a 3 week extension of the contract for the Tax Map and Revaluation.

Mr. Burleigh moved the following resolution:

RESOLVED, that the J. L. Jacobs Co. be granted a 3 week extension to June 6, 1955 of the contract in existence between that Company and the Town of Clarkstown. Seconded by Mr. Schmersahl. Carried.

Mr. Dillon said that the Board had agreed to hold the Revaluation over until next year to give the taxpayers time to check their assessments and voice their grievances if any. He said that the time is too short to adopt the assessment roll this year.

Mr. Butleigh asked if properties not previously on the Tax rolls could be assessed retroactively.

Mr. Roepe stated that the Assessor could only go back one year.

Mr. Dillon read a letter from the Spring Valley Water Co. informing the Board that a hydrant would be installed on Germonds Road east of Route 304 as soon as the water main is installed.

Mr. Dillon presented a proposal from the Republican and Democratic Committees of West Nyack requesting the District #3 be split, using Route 59 as the boundary line.

The Town Clerk was instructed to send a copy of the Map and Description of the District to the Town Attorney so that the necessary papers could be prepared.

Mr. Dillon read a letter from Charles Draudt and William Vines, Chairmen of the Republican and Democratic Committees in Clarkstown, requesting one (1) additional machine for District #1, New City, and District #8, Valley Cottage.

The request was referred to Charles Roth, Custodian of Voting Machines for the Town.

The Board signed and adopted the Special Assessment Roll for Dickinson Ave. and instructed the Clerk to place it on file.

Mr. Dillon read a letter from the Congers Democratic Club to which there was attached several copies of a resolution adopted by the Club citing dangerous traffic conditions and road conditions on Route 9W at Congers and requesting that action be taken to correct them.

The Town Clerk was instructed to forward copies of the resolution to Michael Prendergast, Director of Safety for the State of New York, and the State Traffic

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Commission.

Mr. Burleigh moved the following resolution:

RESOLVED, that Chief of Police Ernest Wiebecke be authorized to attend a Police Chief's Convention at Buffalo, New York, on July 25 to the 28 at the expense of the Town.

Seconded by Mr. Welchman.

Carried.

Mr. Welchman informed the Board that he had received complaints regarding the parking of cars on the triangle in front of Goebel's Dog and Cat Hospital at New City.

Chief Wiebecke was instructed to make an investigation.

Mr. Burleigh asked if the Civil Service List for the position of Assessor had been received yet.

Mr. Dillon said that as yet he had received nothing.

Mr. Burleigh asked when the Town Hall Committee would meet with the Board.

Mr. Dillon said that he had arranged a meeting for May 19, 1955, at 8:00 P.M.

Mr. Dillon informed the Board that 3 petitions for zoning changes were still pending and he asked if the Board wished to act on them.

Mr. Burleigh moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 24th day of March, 1955, provided for a public hearing on the 28th day of April, 1955, at the office of the Town Clerk, Main Street, New City, New York, at 8:00 p.m., Eastern Daylight Saving Time, to consider the application of Raso Holding Corporation, to amend the Building Zone Ordinance for the said Town by redistricting the property of the 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 at West Nyack, in said Town from "Residence A" to "Business B".

BEGINNING at a monument set in the ground in the westerly line of New York State Highway Route 303, which said monument marks the northeast corner of the lands herein intended to be described and the southeast corner of lands of the Town of Clarkstown; running thence from said point of beginning (1) South  $23^{\circ} 43'$  East along the westerly line of New York State Highway Route 303 and through a monument set in the ground in the westerly line of New York State Highway Route 303, 148.02 feet to a stake driven in the ground in the westerly line of New York State Highway Route 303; thence continuing (2) along the westerly line of New York State Highway Route 303 on a curve to the right having a radius of 1502.32 feet a distance of 301.98 feet to an iron pipe driven in the ground in the westerly line of New York State Highway Route 303, which said iron pipe marks the southeast corner of the lands herein intended to be described; thence turning and running (3) South  $72^{\circ} 59' 10''$  West along other lands of William Parker and Sarah S. Parker, husband and wife, 400.0 feet to a point, which said point marks the southwest corner of the lands herein intended to be described; thence turning and running (4) North  $19^{\circ} 50' 50''$  West along other lands of William Parker and Sarah S. Parker, husband and wife, 450.0 feet to a point in the southerly line of lands of the Town of Clarkstown, which said point marks the Northwest corner of the lands herein intended to be described; and thence turning and running (5) North  $73^{\circ} 08'$  East along the southerly line of lands of the town of Clarkstown 400.0 feet to the point or place of beginning. Containing 4.22 acres of land.

Seconded by Mr. Welchman.

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

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

NOES: None

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Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 24th day of March, 1955, provided for a public hearing on the 28th day of April, 1955, at the office of the Town Clerk, Main Street, New City, New York at 8:30 p.m., Eastern Daylight Saving Time, to consider the application of Herman J. Hoeflich and Leo Cyler, to amend the Building Zone Ordinance for the said Town by redistricting the property of the said petitioners from "Residence B" to "Industrial", 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" to "Business B".

BEGINNING at a point formed by the intersection of the north side of Prospect Avenue with the east side of Fisher Avenue and running thence in a northerly direction on a course of North 3° 42' East a distance of 684.98 feet to a point in a right of way line of the New Jersey and New York Railroad; thence southeasterly along said last mentioned line a distance of 190.74 feet to a point; thence turning and running South 3° 42' West, 516.19 feet to a point in the north side of Prospect Avenue; thence turning and running North 74° 54' West a distance of 204.07 feet to the point or place of beginning.

Seconded by Mr. Schmersahl.

On roll call, the Board voted as follows:

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

NOES: None

Mr. Dillon also presented the application of Marie Leo on which a hearing had been held earlier.

Mr. Burleigh moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by Resolution duly adopted on the 7th day of April, 1955, provided for a public hearing on the 13th day of May, 1955, at the office of the Town Clerk, Main Street, New City, New York, at 8:00 p.m., Eastern Daylight Saving Time, to consider the application of Marie Leo, to amend the Building Zone Ordinance for the said Town by redistricting the property of the said petitioner 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 Nanuet in said town from "Residence B" to "Business B".

BEGINNING at an iron pipe at the northeast corner of the within described parcel of land and at the intersection of the Westerly line of Demarest Avenue and the southerly line of Prospect Street; running thence South along the westerly line of Demarest Avenue 150 feet to an iron pipe; thence turning and running in a westerly direction 100 feet to the southwesterly corner of the within described parcel; thence turning and running in a northerly direction 150 feet to an iron pipe in the south line of Prospect Street; thence turning and running in an easterly direction along the south line of Prospect Street 100 feet to the point or place of beginning.

Seconded by Mr. Fibble.

On roll call, the Board voted as follows:

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

NOES: None

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The Building Inspector requested permission to purchase a Tape Recorder for use by the Zoning Board of Appeals at their public hearings.

The Board informed Mr. Schumacher that the request would be considered but for the time being the Recorder in the Town Clerk's Office would be placed at the disposal of the Zoning Board.

The Clerk was instructed to contact I.B.M. and request that Mr. Leo Horey be present at the May 19th meeting of the Board to discuss their proposal further.

Bill Nos. 397 to 489 on Warrant #5 in the amount of \_\_\_\_\_ were audited and ordered paid by the Board.

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

*August A. Hansen*  
Town Clerk of Clarkstown