

PUBLIC HEARING

June 23, 1955

Town Clerk's Office

8:00 P.M.

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

Mr. Dillon called the hearing to order, explaining that it had been called to consider the application of Lillie and Bernard Garnell for a change of Zoning of their property at New City from "Res. B" to "Bus. B". Mr. Dillon stated that the Board would listen first to those in favor of the application and then to those in opposition.

Mr. Stephen G. Doig, Jr. came before the Board as Attorney for the Petitioners. Mr. Doig said that the property was located on New Hempstead Road just west of Route 304 and the present "Bus B" zone. He stated that the Garnell's wish to open a small Restaurant or Tea Room on the premises and for that reason have requested a change of zoning.

No one appeared before the Board in opposition.

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

Seconded by Mr. Welchman.

Carried.

Hearing closed.

August W. Hansen
Town Clerk of Clarkstown

PUBLIC HEARING

June 23, 1955

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 Kathy Land Co. for a change of zoning of property at New City from "Res. A" to "Bus. B". Mr. Dillon stated that the Board would listen first to those in favor of the application and then to those in opposition.

Mr. Jerome Trachtenberg came before the Board as attorney for the Petitioners. Mr. Trachtenberg informed the Board that the property was located in New City south of the Parkway and west of N. Middletown Road on West Clarkstown Road. He said that the property fronted on W. Clarkstown Road for approximately 900 feet and was 200 feet deep and since it was not suited for residential use his clients wished to have it zoned for business and construct a Motel on the premises. Mr. Trachtenberg said that the Park Commission had been notified of the application since the property was located near the Parkway.

Mr. Matthew Torre of New City came before the Board in opposition. Mr. Torre said that he had built his home on W. Clarkstown Road because it was a residential area and he felt that any change to business would be detrimental to the value of his property. He urged the Board to deny the change.

Mr. Charles Thorne of New City opposed the change. Mr. Thorne said that his property bordered that of the applicant and he did not wish to have a business located next to his home. Mr. Thorne disputed the applicants statement that they owned 900 feet of frontage on W. Clarkstown Road and he stated that a Motel was in his opinion, an undesirable business.

The following residents came before the Board in opposition:

Mr. & Mrs. Harold Hopper
 Mrs. Mae L. Lee
 Joseph Kakos
 Mrs. Harry Datermasch
 Antoinette Thorne
 Joseph Longhamer
 Thomas Arvanites.

A petition of protest was also filed by the opposition.

Mr. Trachtenberg came before the Board in rebuttal. Mr. Trachtenberg stated that the majority of Motels in existence are very reputable business' and the few that have been operated in an illegal manner should not constitute a condemnation of the entire industry. He said further that according to the Engineer's survey that accompanied the application, the Kathy Land Co. owned 900 feet of property fronting on W. Clarkstown Road.

Mr. Dillon read a letter from the Interstate Park Comm. opposing the change.

There being no further testimony, Mr. Schmersahl moved that the Board reserve decision and the hearing be closed.

Seconded by Mr. Welchman.

Carried.

Hearing closed.

Cary J. Hansen
 Town Clerk of Clarkstown

PUBLIC HEARING

June 23, 1955

Town Clerk's Office

8:45 P.M.

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

Mr. Dillon called the meeting to order, explaining that it had been called to consider the application of Ned Besso and Paul Alfieri for a change of zoning of their property at West Nyack from "Res. A" 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.

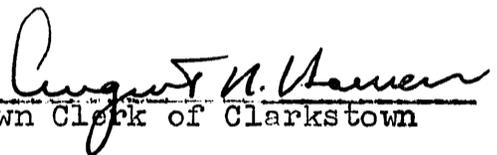
Mr. Jerome Trachtenberg came before the Board as Attorney for the Petitioners. He said that the property was located on Route 303 at West Nyack and was well suited for business development. Mr. Trachtenberg stated that his clients wished to build a Motel on the property.

No one appeared in opposition.

Mr. Schmersahl moved that the hearing be closed.

Seconded by Mr. Welchman.

Carried.


Town Clerk of Clarkstown

PUBLIC HEARING

June 23, 1955

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 a petition for the improvement of Nelson Place at Nanuet.

Mr. E. Alfred Festa, Attorney for the Petitioners, came before the Board and submitted an affidavit to the effect that the Petition had been signed by at least 50% of the resident property owners on Nelson Place.

Mr. William Greenstone of Nelson Place was sworn in and on being questioned by Mr. Festa, testified as follows:

Q. What is the condition of the road?

A. The Road is not passable.

Q. Is the road passable during the winter?

A. No.

Q. Would it be possible due to the condition of the road for Ambulances and Fire Trucks to answer emergency calls?

A. Only with great difficulty.

Q. Do you consider the improvement to be a public necessity?

A. Yes.

Mr. George Ingham of Nelson Place came before the Board and after being sworn in testified as follows:

Q. Do you agree with the testimony as given by Mr. Greenstone?

A. Yes, I do.

The following residents of Nelson Place came before the Board in support of the Petition:

Gerard LaBarbera
Joseph King
Mrs. George Ingham
Bernard Friel
Lawrence Mosier

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

Mr. Welchman moved the following resolution:

WHEREAS, a written petition dated April 28th, 1955, was duly filed with this Board requesting the improvement of Nelson Place at Nanuet, in said Town, as shown on "Map of Nanuet Homes" filed in the office of the Clerk of Rockland County, by paving the entire length thereof in accordance with the Town Specifications as contained in Resolution of the Town Board of May 13, 1951, and whereas said petition was duly signed by owners of real estate owning real estate to the extent of at least one-half of the entire frontage or bounds on both sides of said Nelson Place and also by resident owners owning not less than one-half of the frontage owned by resident owners residing in or along Nelson Place; and whereas, the said petition was duly acknowledged or proved as to each signer in the same manner as required of a deed to be recorded, and whereas, at a meeting of said Town Board duly called and held on May 26th, 1955, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the

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maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of \$3,250.00, and specifying that the said Board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Clerk's Office, Main Street, New City, in the said Town of Clarkstown on the 23rd day of June, 1955, at 9:00 P.M. Eastern Daylight Saving Time; and whereas the said order, duly certified by the Town Clerk, was duly published and posted as required by law, to wit, a duly certified copy thereof was published in the Journal News, the official newspaper of this Town, on the 11th day of June, 1955, and copies of such order posted on the 8th day of June 1955, conspicuously in five public places along said Nelson Place proposed to be improved, to wit; Rockland Light and Power Company Poles #1, 2, 3, 4 and a tree at the southeast corner of Sherwood Drive and Nelson Place- all on that portion of Nelson Place to which the petition relates and whereas a hearing was duly held by this Town Board at the place and on the date and time hereinbefore mentioned, and at such place and time, the said Town Board did duly consider the said petition and hear all persons interested,

NOW THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby,

RESOLVED, that this Board does hereby determine that it is in the public interest to make the improvement petitioned for, to wit, by paving in accordance with Town Specifications as contained in Resolution of the Town Board of May 13th, 1951, and it is further,

RESOLVED, that Nelson W. Hall, a civil engineer, who is hereby employed for that purpose, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of Edward G. Roepe, Esq., the Town Attorney, shall prepare a proposed contract for the execution of the work; and that such plans and specifications, estimate and proposed contract shall be presented to this Board as soon as reasonably possible, and it is further,

RESOLVED, that Nelson W. Hall, a civil engineer, who is employed for that purpose shall survey that portion of the said highway proposed to be improved, and establish the lines and grades thereof, marking out upon the ground the side lines of the lands owned or held by this Town for highway purposes; and that he shall place such survey and a profile of the grade of such highway upon blueprints; that there shall be at least three complete sets of blueprints prepared showing such survey and a profile of the grade, one of which shall be placed on file in the Town Clerk's Office, and the remaining two of which shall be delivered to this Board.

Seconded by Mr. Burleigh.

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

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

NOES: None.

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Seconded by Mr. Schmersahl.

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

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

NOES: None.

Hearing closed.

August H. Hauser
Town Clerk of Clarkstown

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TOWN BOARD MEETING

June 23, 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. Schmersahl moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon read a letter from the New York Central System advising the Board that repairs would be made to the Valley Cottage crossing in the near future.

Mr. Dillon read a letter from the State Traffic Commission advising the Board that a 4-Way Blinker Light would be installed on Route 9W at the intersection of Lake Road south of Rockland Lake.

The Board received a request from the Nanuet Engine Company for the installation of 2 hydrants on Dykes Park Road at Nanuet.

Mr. Welchman moved the following resolution:

RESOLVED, that the Spring Valley Water Works & Supply Company be requested to install 2 hydrants on Dykes Park Road, Nanuet.

Seconded by Mr. Schmersahl.

Carried.

The Town Clerk was instructed to order the hydrants from the Water Company and suggest that they contact the Nanuet Fire Chief for the exact location.

The Street Lighting Contract for the New City Lighting District #1 was presented to the Board.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute the Contract between the Town and Rockland Light & Power Company which provides for street lights in the New City Lighting District #1.

Seconded by Mr. Fibble.

Carried.

Mr. Fibble moved the following resolution:

RESOLVED, that Rockland Light & Power Company be requested to install street lights on Pole #164, Route 9W, and Pole #2 Pine Ave., in Congers.

Seconded by Mr. Welchman.

Carried.

Mr. Frederick Frey appeared before the Board as Attorney for Luroy Rhodes, owner of the Rhodes Taxi Service at Nanuet. Mr. Frey requested that the Town Taxi Ordinance be revised so that Taxi Drivers would be required to remain by their Cabs. He said that then the Bus discharges passengers, the drivers gather at the Bus Stop and practically force passengers into their Cabs and the situation is becoming very annoying.

Mr. Dillon appointed Councilmen Welchman and Schmersahl and Chief of Police Wiebecke as a Committee to investigate the situation and report back to the Board.

Mrs. Mae Lee of W. Clarkstown Road presented a petition to the Board which had been signed by most of the residents of the W. Clarkstown Road area. Mrs. Lee explained that the residents of the area wished to be protected by the Hillcrest Fire

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Dept. since it is at least 2 miles closer than New City.

Mrs. Lee said that the Hillcrest Dept. had been contacted and they had been receptive to the change.

The petition was referred to the Town Attorney and he was instructed to check on the proper procedure to follow in the matter.

Mr. Schmersahl moved the following resolution:

RESOLVED, that Dumpmaster John Eberling be authorized to purchase 50 feet of 5/8 hose for use at the Town Dump.

Seconded by Mr. Burleigh.

Carried.

Mr. Dillon informed the Board that the Dumpmaster wished to go on vacation during July and he asked Mr. Klein to have one of his Highway Dept. men take over the operation of the Dump until Mr. Eberling returns.

Mr. Welchman informed the Board that he had received complaints regarding shrubbery that was obscuring the intersection of Burda Ave. and Red Hill Road at New City.

The Town Clerk was instructed to refer the matter to the Chief of Police and direct him to investigate the condition.

Mr. Welchman asked if anything had been done about the parking conditions in front of Goebels Dog & Cat Hospital.

Mr. Klein said that he had put up "No Parking" signs directly across the street from the Hospital.

Mr. Welchman also said that heavy trucking on Lake Road, Valley Cottage, had broken up the pavement very badly.

Mr. Klein said that the Developer had agreed to pave the road as soon as the heavy equipment is done working in the area.

Mr. Welchman informed the Board that Rockland Light & Power is digging up the ditch along Casper Hill Road for the purpose of laying a gas main.

Mr. Klein said that he would watch the job carefully and see that the ditch is put back into its original condition when the work is done.

Mr. Fibble informed the Board that the catch basin on Route 303 at the intersection of Lake Road was not working properly and he asked that the State Highway Dept. be requested to clean it out. Mr. Fibble also stated that the grass along Lake Road is very high and should be cut and there are a number of trees along Lake Rd. that should be removed.

Mr. Dillon said that Lake Road was a County Highway and he would contact the County Engineer about the grass and trees.

Mr. Welchman asked if Mayor Kilby of Nyack had been asked to attend the meeting to discuss the possibility of closing the Village Dump at West Nyack. He said that the situation was becoming critical and something should be done about it.

Mr. Dillon said that the Mayor was attending a Village Board meeting and he would be unable to attend, however, he would try to be present at the next meeting of the Town Board.

Mr. Burleigh asked that the Building Inspector be requested to submit a report on the Reyville property at Nanuet.

Mr. Burleigh asked if there was any further progress on the Jones property

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at West Nyack.

Mr. Dillon said that according to a letter he had received from the County Treasurer, the property had been sold and the new owner intended to remove the buildings.

The Town Clerk was instructed to get the name and address from the County Treasurer and forward it to the Town Attorney so that he could notify the owner that the buildings had been condemned and must be removed.

Mr. Burleigh informed the Board that the Town Ordinances should be compiled under one cover. He said that many of the Ordinances are not included in the Town Ordinance Booklet and he asked if it would be possible to have them reprinted.

Mr. Dillon said that Funds would have to be included in next year's Budget for such a project.

The Board discussed the Maintenance Contracts for the TaxMap and also the Mapping Contract that had been submitted by J. L. Jacobs Co. After considerable discussion, the Board decided to hold the Maintenance Contract in abeyance for the time being since the Tax Map and Re-valuation would not be used until next year.

On the Mapping Contract, Mr. Dillon informed the Board that it was in the amount of \$8,000 and he suggested that the Board seek expert advice before executing the Contract. The Board agreed that an expert opinion would be advisable in view of the contract price, and authorized the Supervisor to consult with Joseph Lennox of Yonkers who had assisted the Board in the past.

The Board also discussed the coming public hearing on the proposed new zoning ordinance.

Mr. Dillon said that he felt that the hearing should be completed in one night rather than have a series of hearings. He said that after all the testimony had been heard, the Board could then meet in a series of special meetings and consider the objections or criticisms and then reach a definite decision.

Mr. Fibble asked if the speakers would be limited as to time at the hearing.

Mr. Dillon said that he doubted if it would be possible to restrict the amount of time to be allowed each speaker, but he did feel that their remarks should be short and to the point.

Mr. Fibble moved the following resolution:

WHEREAS, it is the intention of the Town Board of the Town of Clarkstown to establish a Recreation Project 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 is hereby directed and authorized to duly execute and to present said application of the New York State Youth Commission for its approval. This resolution shall take effect immediately.

Seconded by Mr. Schmersahl.

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

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

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

August H. Hansen
Town Clerk of Clarkstown

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