

PUBLIC HEARING

~~TOWN BOARD MEETING~~

Town Clerk's Office

April 10, 1958

8:30 P.M.

Present: Messrs. Renken,
Danko,
Welchman,
Coyle.

Absent: Mr. Jeffrey.

Supervisor Coyle called the hearing to order.

The Clerk read notice of hearing to consider the application of Paul B. Murphy, Jr. and others for a Change of Zoning from a C-2 to C-1 district..

George Writer, Esq. appeared representing the petitioners and described the property and its location in West Nyack.

The Supervisor inquired whether anyone present was interested and wished to be heard.

Mr. Stanley Partridge appeared and asked Mr. Writer the reason for seeking the change. Mr. Writer advised the change was sought because it would permit smaller sideyard requirements. He added that people in the area, Mr. Murphy and perhaps General Equipment Company would like to enlarge their buildings, which they could not do unless they got variances.

Mr. Partridge stated he owned two parcels within the area sought to be changed and wanted assurance his property would be included. He then questioned the Building Inspector as to the effect a change would have on non-conforming uses.

The Supervisor then assured Mr. Partridge that the resolution of the Board would leave no doubt as to boundaries and asked if he favored a change of zone for the area between Old Nyack Turnpike wouth to new Route 59 bounded on the east by Western Highway and on the west by the cut-off. Mr. Partridge stated he would favor such a change.

No one else appearing and wishing to be heard, on motion made by Mr. Renken, seconded by Mr. Danko and carried, the hearing was closed.

Signed,

Mildred F. Magai,
Town Clerk.

PUBLIC HEARING

April 10, 1958

Town Clerk's Office

9:00 P.M.

Present: Messrs. Renken,
Danko,
Welchman,
Coyle.

Absent: Mr. Jeffrey.

Supervisor Coyle called the hearing to order.

The Clerk read notice of hearing to consider any objections to Assessment Roll for the Improvement of First St., Nanuet.

The Supervisor inquired if anyone was interested and wished to be heard.

Mr. Robert Maier of First Street, Nanuet, appeared and stated he did not own a portion of the property assessed to him and that it was owned by the State of New York.

Town Attorney Everett Johns stated it was understood that Mr. Maier had purchased property described as 32 B 85.07 from the State of New York. Mr. Maier stated he had never owned it.

The Town Attorney asked Mr. Maier if the property was not included in an action brought by Mr. Partridge against lots on First Street and Mr. Maier stated it was not.

The Assessor said if Mr. Maier did not own the property his figures were wrong. Mr. Johns advised the Assessor that it would be necessary for him to prove ownership.

Mr. Maier stated that when he purchased property from the State the portion in question was excluded, because of the Route 59 taking, adding that the map was on file in the Courthouse. He advised that he had bought the property from the State in December 1955 and that Mr. Seifried had made the map for the First Street Improvement in November 1956.

Mr. Johns stated that in view of Mr. Maier's statements the Assessment Roll would be subject to the Assessor re-checking points and if an error was found it would be necessary to re-advertise for another hearing.

Upon Mr. Maier's inquiry as to whether the State could be assessed and Owner Unknown property could be assessed, the Town Attorney replied in the negative.

Supervisor Coyle inquired whether anyone else wished to be heard. No one appeared.

On motion made by Mr. Danko, seconded by Mr. Welchman and carried, the hearing was closed.

Signed,

Mildred F. Magai,
Town Clerk.

HAA 918

TOWN BOARD MEETING

Town Clerk's Office

April 10, 1958

8:00 P.M.

Present: Messrs. Renken,
Danko,
Welchman,
Coyle,
Jeffrey.

Supervisor Coyle opened the meeting.

On motion made by Mr. Renken, seconded by Mr. Welchman and carried, the minutes of the March 13, 1958 meeting were approved.

Mr. Albert Eberling appeared before the Board in connection with a drainage condition in front of his mother's house on New Hempstead Rd., New City. He was advised that this road was a County road, that the matter had been called to Mr. Hall's attention and there would probably be some action by next month.

Robert Granik, Esq. appeared before the Board in connection with proposed dedication of Parkway Drive and Spruce Lane in Blue Spruce Estates-Section I near West Nyack. He stated that the roads had been built to Town specifications and all requirements met. The Town Attorney reported all papers in order. Highway Superintendent Klein reported he had no objection except for drainage and felt an easement should be procured to an existing brook. Mr. Klein made mention of a complaint about water made by the Kloses. After some discussion and a check of Planning Board requirements it was found that a request for an easement was not included in final approval of the subdivision. Mr. Granik stated that there would be a second subdivision and that the matter could be taken care of at that time, that his clients were in contact with the Kloses at present, and that arrangements for an easement could be made at the time of final approval of the second section. Supervisor Coyle stated that it should be definitely understood that there is a condition in relation to drainage that the Board expected his clients to consider.

Mr. Renken moved the following resolution:

RESOLVED, that upon recommendation of the Town Highway Superintendent and Town Attorney, deed from deed from Blue Spruce Estates, Inc. to the Town of Clarkstown, conveying portions of Parkway Drive and Spruce Lane as shown on map of Property titled "Blue Spruce Estates near West Nyack, made by Wm. A Yuda, P.E., dated Jan. 24, 1954", be accepted, and be it

FURTHER RESOLVED, that the said roads be included in the Town Highway System and that the Town Attorney be directed to record the deed.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

ABSENT: Mr. Jeffrey.

Town Attorney Johns advised the reports had been received from the Bldg. Inspector and Police Dept. on their re-investigayion of The Elms violation but that the Fire Dept. report was not yet received.

The Town Attorney reported the Dickinson Avenue drainage investigation would be conducted shortly inasmuch as Mr. Hall had returned from vacation.

4/10/58

Mr. Johns told the Board that Mr. Fackenthal, New York Trap Rock counsel, had called on him and turned over copy of a deed conveying three parcels of land to be used for an access road from Crushed Rd. to Snake Hill Rd., West Nyack. He had asked the return of an escrow deed on file in the Clerk's office, which covered a portion and was of no value since the new deed covered same. He had also asked for a commitment from the Town that the Town would construct the proposed road. The matter was referred to the Highway Superintendent and Town Attorney to report on.

The Town Attorney reported to the Board that the developers have agreed to work something out on construction of the retaining wall on Pigeon Hill Rd., Manuet. The Highway Superintendent reported he had met with the four developers and they have agreed to follow his instructions as to the type of wall wanted, shown on sketch submitted, and that the Consulting Engineer had approved same stating it would be more than strong enough. Mr. Klein stated the developers were going to pay for the wall.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Highway Superintendent be authorized to oversee construction of the two retaining walls on Pigeon Hill Road, Manuet.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

Councilman Welchman reported that on investigating request of Paul Waldron for a building permit for property on Tupper Lane, West Nyack, he saw no reason why the permit should not be granted provided Mr. Waldron would put in a road to meet the specifications of the road presently there.

Mr. Welchman moved the following resolution:

RESOLVED, that the Building Inspector be directed to issue a building permit to Paul Waldron for property on Tupper Lane, West Nyack, provided a roadbed of crushed stone ($1\frac{1}{2}$ in.) is laid to a width of 15 feet and a depth of 3 inches covered with screenings or shoulder stone to his driveway.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

Mr. Renken moved the following resolution:

RESOLVED, that decision on application of Paul B. Murphy, Jr. and others for a Change of Zoning from a C-2 to a C-1 district be reserved.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

HAA 918

4/10/58

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

The Supervisor reported that there were two hydrants installed in the Blue Spruce Estates and that there was one more needed as shown on the Water Company survey.

Mr. Welchman moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute hydrant order for the installation of a water hydrant on Parkway Drive, West Nyack in the Blue Spruce Estates development, and be it

FURTHER RESOLVED, that the Spring Valley Water Works & Supply Company be directed to install the same.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

Supervisor Coyle reported that the Water Company was still checking on needed hydrants for Cherry Hill Estates.

Mr. B. J. Solem appeared before the Board and requested a building permit under Section 280-A of Town Law, for property located on Jerrys Avenue, Nanuet. The Board asked Mr. Solem if he had spoken to neighbors to see if they were willing to put in a road and he stated he thought they would but not before utilities were in. Councilman Welchman suggested that a bond be put up assuring the Town that a road would be constructed sometime. The Highway Superintendent was requested to contact people on Jerry's Avenue to see if they were willing to put up a bond to construct a road after utilities were installed.

Irving Werner, Esq. of Nanuet appeared on behalf of Robert Stohz of 20 Edsall Avenue, Nanuet, regarding a stub road shown on a filed map at one side of his property, which had never been paved or cleared. He referred to a letter addressed to the Town Board by the Planning Board recommending acceptance by the Town of the stub connecting Edsall Avenue going west to Park Lane in development called Grandview Acres. Mr. Werner stated the developer was willing to clear the stub and pay for a portion of the paving and perhaps his client would pay for a portion. The Town Attorney pointed out that a deed would have to be given to the Town and that Mr. Simon owned the land. The Town Attorney was requested to contact Mr. Simon to determine whether he would be willing to make a dedication to the Town.

The Supervisor read a letter from the New York State Thruway Authority advising that they would be unable to adjust the rate of toll on the Tappan Zee Bridge at present, as urged by the Congers Democratic Club resolution. The Clerk was requested to so advise the Congers Democratic Club.

4/10/58

Supervisor Coyle read a letter from the Clerk of the Village of Nyack, forwarding Certificate of Village Clerk of the Village of Nyack relative to certain lands situate in Central Nyack annexed to the said village pursuant to Section 348 of Village Law. The letter and Certificate were ordered filed.

Mr. Coyle read a letter from Paul A. Saurer of 14 Homstead Lane, New City, requesting street signs in the Hempstead Heights development and a caution sign at the entrance to the development. The Clerk was requested to advise Mr. Saurer that the signs had been ordered.

Letters from the Committee for 21,000 dated Apr. 1, 1958 and the Clarkstown Woman's Club dated Apr. 8, 1958 endorsing the Town Board's efforts to enforce and retain the Zoning Ordinance were read to the Board.

A letter was read from the Spring Valley Water Works & Supply Company enclosing a surveys on proposed hydrants for Theresa Drive, West Street and Sable Court, West Nyack.

Mr. Renken moved the following resolution:

RESOLVED, that the Supervisor be authorized to sign agreement with the Spring Valley Water Works & Supply Company for the installation of water hydrants on Theresa Drive, West Street and Sable Court, West Nyack, subject to his investigation of proposed locations. Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

Supervisor Coyle read a letter from Katherine Alexander of Route 59A, West Nyack, enclosing letter to the Highway Superintendent re water problem. The Highway Superintendent stated he had replied and advised it was not a Town matter and as far as the ditch was concerned, she would have to maintain it herself.

A letter was read from the Planning Board in connection with property of Marjorie Clark Swanson, Old Middletown Road, New City, recommending approval of a change from RA-1X to R-1 under Section 4.32F of the Zoning Ordinance. The matter was referred to the Town Attorney to check and report on.

Mr. Renken moved the following resolution:

RESOLVED, that substitute bond # 76-09-88 for Paula Estates, West Nyack, covering Jeffrey Court Road, be approved.

Seconded by Mr. Danko.

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

Mr. Coyle read a letter from the Building Department advising of a request by George Faist for a building permit under Sect. 280-A, for property on Dykes Park Road, Nanuet.

Mr. Renken moved the following resolution:

RESOLVED, that the Building Inspector be directed to issue a building permit under Article 280-B to George Faist, for property on Dykes Park Road, Nanuet.

HAA 918

4/10/58

Seconded by Mr. Welchman.

AYES: Messrs. Renken,
Danko,
Welchman,
Coyle.

NAYES: None.

ABSENT: Mr. Jeffrey.

On motion made by Mr. Welchman, seconded by Mr. Jeffrey and carried, monthly reports of the Police Department, Building Department, Zoning Board of Appeals, Planning Board, Welfare Officer and Town Clerk were accepted and ordered filed.

The Supervisor reported that the Mr. Crowe had found a Roto Tiller that does an excellent job of cutting roots at the Valley Cottage Sewer District No. 1 plant.

Mr. Welchman moved the following resolution:

RESOLVED, that the Sewerage Treatment Plant Operator of Valley Cottage Sewer District No. 1 be authorized to purchase a Roto Tiller at a price of \$163.89.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Jeffrey,
Welchman,
Coyle.

NAYES: None.

The Supervisor read a letter addressed by the County Highway Supt. to the Zoning Board of Appeals stating his department had no objection to draining of a proposed community swimming pool into a proposed storm drainage system in Garden Hill Estates.

Mr. Danko moved the following resolution:

WHEREAS, Carl Soller & Another, Map 20, Block B, Lot 23, has petitioned this Board for a refund of interest on the 1958 installment of Special Assessment for the Improvement of Oak Road, Adam Place and Birch Lane, New City,

BE IT RESOLVED, that the Supervisor be authorized to refund to the petitioner the sum of \$4.19.

The Supervisor read a letter from Mr. Sutherland of the County Health Department advising money was available for plans and estimates in reference to sewerage. Mr. Coyle told the Board that he had advised people working on a sewer system about it. The letter was ordered filed.

Notice of a Conference on Assessment Administration was being held on Apr. 13th to 16th, 1958 and that all necessary expenses incurred be charged to the Town.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

AYES: Messrs. Renken,
Danko,
Jeffrey,
Welchman,
Coyle.

NAYES: None.

Supervisor Coyle read a letter from the Rockland County Health Department enclosing a review of activities of that department with regard to sewage nuisance condition at Dew Drop Inn, 56 Old Nyack Turnpike, Nanuet. The Building Inspector reported that the mattresses

4/10/58

stored in the basement had not yet been removed but that he would follow up on the matter.

The Supervisor reported that Mr. Applebaum, owner of considerable property in Rockland Lake, had complained about his high water tax and that there was no water hydrant near his property. Mr. Coyle stated he had asked the Water Company to check on the matter.

Town Attorney Johns reported that he had procured regulations on sewers from Albany and had turned them over to the Building Inspector for any suggestions he may have. He advised that the Building Inspector and he would make a study.

In connection with the parking problem in West Nyack, Councilman Danko reported he had contacted Mr. Batt's daughter in connection with the acquisition of property for a parking area and that after meeting with Mr. Batt he would have a report for the Board.

Councilman Danko reported a parking problem on Railroad Avenue, Congers. Chief Wiebicke reported having made a survey. The Suggestion was made that there be "No Parking" on one side of the road. Mr. Danko was delegated to follow up on the matter.

Mr. Danko brought to the Board's attention complaint about a water problem made by Mrs. Edna Rose of South Conger Avenue, Congers. Mr. Welchman stated that the condition had been called to the attention of the Highway Department and would probably be remedied.

Councilman Welchman submitted a report on insurance coverage for the Town which he filed with the Clerk. He asked the Board to consider Liability Insurance for Town Highways and a Public Employees' Honesty blanket bond.

On motion made by Mr. Danko, seconded by Mr. Jeffrey and carried, the meeting was adjourned.

Signed,

Mildred F. Magai,
Town Clerk.

HAA 918