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There being no further business, on motion made by Mr. Renken, seconded by Mr. Welchman and unanimously carried, the meeting was adjourned.

Signed,

Mildred F. Magai,  
Town Clerk.

PUBLIC HEARING

December 11, 1958

Town Clerk's Office

8:30 P.M.

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

Absent: Mr. Welchman.

Supervisor Coyle opened the hearing.

The Clerk read notice of hearing to consider the application of Nathan Wyman for a Change of Zoning from an RA-1X to an R-1 district on property located near Red Hill Road, New City.

Robert Granik, Esq. appeared on behalf of the petitioner and described the property sought to be rezoned as being off Red Hill Road and that it was an area of 20 or more acres. He added that the property was surrounded on three sides by subdivision developments, i. e. Hempstead Heights, Colonial Acres-East Section and Red Hill Acres, all in R-1. Mr. Granik stated that it was the westerly portion of the property consisting of about 15.60 acres that they were asking to have rezoned, that the easterly portion was in an R-1 zone, comprising approximately 11 acres.

Mr. Granik told the Board he had checked on public utilities in the area and had been assured they would be available.

The Supervisor inquired whether anyone present desired to be heard in favor of or opposition to the granting of the zoning change.

Mr. E. Tyson Matlack stated he thought the application should be denied because it was not in the best interests of citizens of Clarkstown to continually grant zoning change applications. He added that the public utilities available did not cost the taxpayer anything but that furnishing school facilities did. Mr. Matlack said that if granted, it should be for 26 homes on this acreage and that it should be for a Special Permit and not a change of the Zoning Ordinance. He asked that the interests of the people of Clarkstown be considered and not the benefits that would accrue to the owner of land.

Councilman Renken asked Mr. Matlack if he spoke on the basis of a lack of schools and whether he spoke as an individual or as a member of the School Board. Mr. Matlack advised that the thoughts expressed were individual but that many people were of the same mind.

The Supervisor inquired whether anyone else wished to be heard in favor

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or against granting the change.

Mr. Harry McKane of 25 Cherry Hill Lane, West Nyack, appeared and stated he concurred with Mr. Matlack's remarks.

On motion made by Mr. Renken, seconded by Mr. Jeffrey and unanimously carried, the hearing was closed.

Signed,

Mildred F. Magai,  
Town Clerk.

PUBLIC HEARING

December 11th, 1958

Town Clerk's Office

9:00 P.M.

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

Absent: Mr. Welchman.

Supervisor Coyle opened the hearing.

The Clerk read notice of hearing to consider the application of Walter Hicks and Perley Stout for a Change of Zoning from an R-1 and RA-1 to an R-2 zone.

Richard E. Sterns, Esq., associate of Daniel T. Brucker, petitioner's attorney, appeared and described the premises as being on the westerly side of Old Haverstraw Road, Congers, and having a frontage of 448.96' and depth on north of 610' and on the south of 528' and width on west of 440'.

Mr. Sterns stated that the premises were presently zoned R-1 for a depth of 250' and the balance in an RA-1 zone. He stated his clients were desirous of erecting duplex housing facilities on the premises and that they would comply with recommendations or mandates of the Planning Board and with sewage disposal regulations of the Town.

The Town Attorney asked the applicant, Mr. Walter Hicks, about the availability of water supply. Mr. Hicks stated there was water about a quarter of a mile from the property and he was sure it could be gotten. He stated the Health Department had taken seepage tests and given approval and also the Spring Valley Water Works.

Town Attorney Johns asked Mr. Hicks if he could tell the Board what type of land there was to the north. Mr. Hicks stated that there was a celery farm on one side. Mr. Johns then asked what type homes there were. Mr. Hicks stated "Not very good homes." The Town Attorney then asked "On approximately what size lots are the houses?". Mr. Hicks replied "On small lots - just enough to live on."

Councilman Renken asked Mr. Sterns how much of the property involved was in an R-1 district. Mr. Sterns stated approximately one-third. Mr. Renken then asked if it was possible to build what was wanted in an RA-1 zone and Mr. Sterns advised it was with a Special Permit from the Zoning Board of Appeals.

Supervisor Coyle asked if anyone desired to speak in favor of or in opposition to the granting of the application.

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Messrs. Harry Niemeyer, Edgar H. Joliffe and Wallace Marshall appeared and stated they favored the granting of the application.

Mrs. S. Roach of Old Haverstraw Road, Congers appeared and stated she was opposed to the down zoning of the property. She stated her property was 100 X 150' in size and other properties on either side were the same. Mrs. Roach stated if the property in question was down-zoned there would be other such requests. She felt there was no hardship on the owner since some of the lots were purchased as tax lots. She added that rumor had it that it was intended to build low cost housing somewhat like Camp Shanks on the site and this would not help taxwise.

Mr. John Condura appeared and stated he concurred with Mrs. Roach, adding that lower cost housing would bring more children and add to the School Tax burden. He stated industry would be better than low cost homes.

Mr. Stanley Roach of Old Haverstraw Road, Congers appeared and stated he was opposed to down-zoning of the property. He questioned why Mr. Marshall favored the change as he did not live on Old Haverstraw Road. Mr. Roach stated he would like to see the road developed as at present, on lots 100 X 150', average type homes.

Mr. E. Tyson Matlack stated he felt the application should be denied because of the tremendous cost of providing schools and duplex houses would add to this.

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

Signed,

Mildred F. Magai,  
Town Clerk

**TOWN BOARD MEETING**

December 11, 1958

Town Clerk's Office

8:00 P.M.

PRESENT: Messrs. Coyle, Renken, Danko, Jeffrey.

Absent: Mr. Welchman.

Supervisor Coyle called the meeting to order.

On motion made by Mr. Jeffrey, seconded by Mr. Renken and unanimously carried, the minutes of the hearing on November 13th and meetings on Nov. 13th and 26th, 1958 were approved and accepted.

Mr. Renken moved the following resolution:

WHEREAS, WILLIAM BRAIN, JR. and ANTONIO PALMIERI have petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioners and in said petition described, from an R0 district to a C-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, N. Y. on the 12th day of January, 1959 at 8:00 P.M., Eastern Standard

Time, relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

WHEREAS, ZIRA S. BAUMAN has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described, from a C-2 and R-0 district to an M-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, N. Y. on the 12th day of January, 1959 at 8:30 P.M., Eastern Standard Time, relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, FLOZIR REALTY CORP. has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described, from an R-0 and R-1 district to an M-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 12th day of January, 1959 at 9:00 P.M., Eastern Standard Time, relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko moved the following resolution:

WHEREAS, SIDNEY POPIK has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described, from an R-1 district to a C-1

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district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 12th day of January, 1959 at 9:30 P.M., Eastern Standard Time, relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published as aforesaid and file proof thereof in the office of the said Clerk.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Attorney reported that all papers in connection with proposed dedication of roads in Little Tor Estates, Svahn Estates-Section II and in Adler Estates subdivisions were in order.

On motion made by Mr. Jeffrey, seconded by Mr. Danko and carried, the Board opened hearing on application of Nathan Wyman for a Zoning Change.

On motion made by Mr. Renken, seconded by Mr. Jeffrey and unanimously carried, the Board reserved decision on Zoning Change application of Nathan Wyman.

Mr. Renken moved the following resolution:

RESOLVED that, upon recommendation of the Superintendent of Highways, deed from MAK Development Corp. to the Town of Clarkstown, conveying Mark Court, (now known as Muller Court), Capral Lane, Twin Elms Lane and a portion of Twin Elms Way (now known as Twin Elms Lane), as shown on map entitled "Little Tor Estates", New City, N. Y., dated April 6, 1956, 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. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

The Board approved as to form and sufficiency the following bond:

Maintenance Bond #211297  
MAK Development Corp.  
(Little Tor Estates)

Mr. Danko moved the following resolution:

RESOLVED that, upon recommendation of the Superintendent of Highways, deed from Gustaf Svahn to the Town of Clarkstown, conveying a portion of Deer Track Lane and Svahn Drive, as shown on Map of Property of Gustaf Svahn - Svahn Estates, Valley Cottage, N. Y. Section II, 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. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

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The Board approved as to form and sufficiency the following bond:

Maintenance Bond #1 S 169882  
Gustaf Svahn  
(Svahn Estates - Section 2)

Mr. Jeffrey moved the following resolution:

RESOLVED that, upon recommendation of the Superintendent of Highways, deed from Harry L. Halberg to the Town of Clarkstown, conveying part of Rennert Lane and White Oak Lane, as shown on map of Revised Sub-division of Adler Estates, dated March 12, 1956, 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 said deed.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Board approved as to form and sufficiency the following bonds:

Maintenance Bond #212583  
Harry L. Halberg  
(Revised Subdivision of Adler Estates)

\$50.00 Cash Performance Bond  
Harry L. Halberg  
(Revised Subdivision - Adler Estates, Bardonia)  
(Covering "Rennert Lane" street sign)

Town Attorney Johns told the Board he had requested the cash bond to insure erection of a street sign on Rennert Lane within a 60-day period.

The Town Attorney reported that maintenance bonds in connection with proposed dedication of streets in the Hempstead Homes and Colonial Acres- East Section subdivisions were not properly acknowledged and were being returned to the developer.

Mr. Jeffrey moved the following resolution:

RESOLVED that resolution adopted on November 26, 1958 appointing Dog Enumerators for the Town of Clarkstown be amended by substituting the name Kenneth D. Bennett for that of Dayton D. Bennett.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Chief Wiebicke reported that he had checked on the need for a blinking caution light at the intersection of Old Mill Road and Snake Hill Road, West Nyack, requested by the Trap Rock Company, and that he felt it unnecessary. He recommended installation of additional warning signs and that the brush at the southwest corner of the intersection be cut back. Highway Superintendent Klein was requested to erect "Yield Right-of-Way" and "Crossroad" signs at the intersection.

Chief Wiebicke was requested by Councilman Jeffrey to check on a complaint about brush obstruction at the northeast corner of Richards Corners, West Nyack.

A letter dated December 5, 1958 from Orange & Rockland Utilities with reference to street lights on Prospect St., Nanuet, was ordered referred to Councilman Welchman for recommendation.

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Supervisor Coyle read a letter from the State Traffic Commission dated December 8, 1958 which advised that a traffic signal had been ordered for the intersection of Route 59, Grandview Avenue and the Thruway Access Road, Nanuet.

The Town Attorney reported that the Town could comply with the State Traffic Commission's order with respect to extending the 30 MPH area speed restrictions to include all of Clarkstown provided the signs were put up but that the order would not become effective until the signs were installed. The Highway Superintendent was requested to order and install the signs.

The Supervisor read a letter from Spring Valley Water Works & Supply Co. dated December 8, 1958 advising that 2 hydrants would be installed on Forest Glen Road, Valley Cottage, the latter part of 1959.

A letter from the Department of Public Works dated November 26, 1958, advising that Main Street, New City, would be cleaned up as requested and suggesting that the Business Mens' Association install refuse cans on the street, was read to the Board.

Chief Wiebicke had referred to him a letter from Mrs. Alfred Tonelli of 15 James St., New City, asking erection of "Caution" or "Childred at Play" signs on James Street.

The Board approved as to form and sufficiency the following Performance Bond:

Bond #1 S 171219  
Cherry Hill - West Section  
West Nyack, N. Y.

A letter dated December 8, 1958 from the Planning Board Recommending approval of Special Permit under provisions of Section 4.32F of the Zoning Ordinance to Orchard Plains-Section III was read to the Board. The matter was ordered held for study.

Supervisor Coyle read a letter from the New York Fire Insurance Rating Organization dated December 8, 1958, advising that an inspection had been made of Congers Fire District and that it had been reclassified as protected. Recommendations were enclosed. The letter was ordered placed on file.

Messrs. William Burgio and John Mayer of Oak Street, Congers, appeared before the Board stating they were in a Lighting District but had no lights on their street even though they were paying taxes for light. They asked that lights be installed. It was explained to them that Oak Street was not a Town road and therefore their request could not be granted unless the road was improved to meet Town specifications and dedicated to the Town. Mr. Mayer asked that a sign be erected on Hughes Street indicating Oak Street and the matter was referred to the Highway Superintendent.

The Board signed order setting hearing on petition for the Extension of the New City-West Nyack Water Supply District to include SICKLETOWN ROAD for February 9, 1959 at 8:30 PM.

The Board signed order setting hearing on petition for the Extension of the New City-West Nyack Water Supply District to include TUDOR GATE for February 9, 1959 at 9:00 PM.

Town Attorney Johns reported there were a few questions to be taken up

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with the attorney and engineer on the job before the Board could proceed on petition for the improvement of Jerrys Avenue, Nanuet. The matter was ordered held in abeyance.

Mr. Johns advised the Board that application of New City Park Estates, Inc. had been returned inasmuch as the papers were not in order.

Mr. Renken moved the following resolution:

RESOLVED that application of Hillcrest Village for a change of zoning from an SC and RA-1X to an R-1 district, for property located on the south side of West Clarkstown Road, New City, be referred to the Planning Board pursuant to the provisions of Section 8.51, 8.52 and 8.522 of the Zoning Ordinance.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

The Building Inspector reported that Louis Ferretti would comply with the procedure adopted by the Town Board on October 23, 1958 with relation to applications made for building permits under Section 280-A of Town Law.

Mr. Renken moved the following resolution:

RESOLVED that the Building Inspector be directed to issue a building permit pursuant to the provisions of Section 280-A of Town Law to Louis Ferretti, for property located on Fremont Avenue, Nanuet.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle read a letter dated December 11, 1958 from C. Elsie Monneret, Receiver of Taxes, in which she made recommendations for the preparation of the tax roll and tax billing. The letter was ordered filed to be referred to when preparing 1959 tax bills.

On motion made by Mr. Danko, seconded by Mr. Renken and unanimously carried, the Board opened hearing on application of Walter Hicks and Perley Stout for a Change of Zoning.

On motion made by Mr. Jeffrey, seconded by Mr. Renken and carried, the Board returned to the regular meeting.

On motion made by Mr. Danko, seconded by Mr. Jeffrey and carried, the Board reserved decision on application of Walter Hicks and Perley Stout for a Zoning Change.

The Supervisor stated he had written to the Housing & Home Finance Agency asking when the Town could expect to hear from them on the proposed New City Sewer District. Mr. Coyle advised that he had had a reply stating that due to the heavy work load they had been unable to review the application for a grant but would in about a week and if okay would so advise in about four weeks.

Mr. Coyle read a letter from Ned A. Besso stating that property owners along Route 59 ask that a zoning change be made with respect to side line requirements and

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requesting the Board to consider this. It was decided to consider the request with other zoning matters for study.

Mr. Coyle read copy of a letter sent to Mr. Harry R. Crowe by the New York State Department of Health, dated November 26, 1958 which advised he had successfully completed subjects covering all types of sewage treatment, at the Grade III Sewage School. It advised that he apply to the local health department for an application form.

The Supervisor reported he had received a letter from the Civil Service Department stating that Anne E. O'Connor had received a passing grade as Stenographer.

Mr. Renken moved the following resolution:

RESOLVED THAT Anne E. O'Connor of Massachusetts Avenue, Congers, New York, be permanently appointed Stenographer in the Town Clerk's Office, effective immediately, at an annual salary of \$3,200.00.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Monthly reports of the Welfare Officer and Town Clerk were submitted and ordered filed.

Mr. Coyle read a letter from the Clarkstown Citizen dated December 5, 1958 asking consideration in designating the official newspaper of the Town. The letter was ordered held until the January 5, 1959 organization meeting.

The Highway Superintendent asked that some action be taken as to what Brownsell Road, New City, will be called. He stated that one portion is known as Brownsell Road and to the west and south Phillips Hill Road. The matter was referred to the Town Attorney to check on.

The Town Attorney reported that he would have a proposed ordinance for closing of mercantile establishments on Memorial Day drawn up for the next Board meeting.

Councilman Renken called attention to a serious accident at the railroad crossing on Prospect Street, Nanuet.

Mr. Renken moved the following resolution:

RESOLVED that the New Jersey & New York Railroad Company be requested to erect flasher signals at the Prospect Street railroad crossing in Nanuet, New York.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

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RESOLVED, that a 7,000 lu. M. V. street light be installed on Poles No. 1 and 7, and on the pole west of the fire hydrant on New Haven Avenue in the Nanuet Lighting District, and be it

FURTHER RESOLVED, that Orange & Rockland Utilities, Inc. be authorized to install said lights.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED that the Highway Superintendent be authorized to advertise for bids for two three-ton trucks and one Salt and Sand Spreader, bids to be received by and opened on December 29, 1958.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Albert Wein of 23 Poplar Street, Nanuet, filed with Supervisor Coyle a report of recommendations of various P.T.A. committees with respect to sidewalks.

Mr. Simon of Foxwood Road, West Nyack, appeared and questioned the Board with respect to someone starting to build without a building permit which was a violation. The Building Inspector explained that when the matter was brought to his attention, he had stopped the work and had the man in his office, on a Monday morning. On Tuesday a permit was granted. The plans had been filed in the Building Department office a week before. A report on the matter addressed to the Town Board by the Building Inspector was placed on file.

Mr. John G. Kelly, Chairman of the Committee for 21,000 read to the Board a letter dated December 11th, 1958 with respect to enforcement of the Zoning Ordinance which was ordered placed on file.

Mr. E. Tyson Matlack brought up the matter of a vote on a bond issue to purchase fire engines for the West Nyack Fire Department. The Supervisor explained that this matter was under the jurisdiction of the Board of Fire Commissioners.

Mr. Monroe E. Mayer of Nanuet, of the Clarkstown Democratic Committee read a resolution with respect to traffic conditions in various locations in the Town. The recommendations were referred to Chief Wiebicke for a report.

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

Signed,

Mildred F. Magai,  
Town Clerk.

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