

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED that resolution adopted November 26th, 1958 be supplemented to read that street lights be installed on Pole No. 129½ on Route 59A and on Pole Nos. 17 & 19 on Prospect Street and that light presently installed on Pole No. 18 on Prospect Street be removed, in the Nanuet Lighting District, and be it

FURTHER RESOLVED that the Orange & Rockland Utilities, Inc. be authorized to make the installation and removal.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

On motion made by Mr. Welchman, seconded by Mr. Renken and unanimously carried, the meeting was adjourned.

Signed,

Mildred F. Magai,  
Town Clerk.

PUBLIC HEARING

January 26, 1959

Town Clerk's Office

8:30 P.M.

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

Supervisor Coyle called the hearing to order.

The Clerk read notice of hearing to consider a proposed ordinance with respect to the adoption of a Bingo Ordinance to be known as Article 26 of the Town Ordinances.

Supervisor Coyle inquired whether anyone wished to speak in favor of the proposed ordinance.

Mr. Alexander Goodman of the Veterans Memorial Association, Inc. of Congers, N.Y. appeared and stated his association would like to run Bingo for the purpose of supporting a building used by the community, an all by 16 organizations. He stated there is no rental charge for the building and a couple of donations being given are not sufficient to pay for light, heat and janitorial services.

The Supervisor asked if anyone else wished to speak in favor.

Mr. Richard Smith of 47 Leona Avenue, New City, appeared on behalf of St. Augustine's Church, New City, and stated they would like to see an ordinance adopted to enable the Church to run Bingo games for the benefit of the church generally and more particularly to raise funds for the building of a Parochial School.

Mr. Coyle asked if anyone else wished to be heard in favor of the proposed ordinance.

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Mr. John Kunkel of 10 Henry Court, Nanuet, a member of St. Anthony's Church appeared and told of the enjoyment people derive from playing Bingo, particularly elderly people. He stated he would like to see an ordinance adopted as it would benefit the Church.

Mr. Coyle asked if anyone else wished to favor an ordinance.

The following persons appeared favoring the adoption of an ordinance:

Mr. Francis Ryan, Mr. Edward J. Kenney, Mr. Victor DeMoa, Mrs. Victor DeMoa, Mrs. Fred Kunze, Leslie E. Ryan, Mrs. Eric Baker, Mrs. Edward Kenney, Mrs. Fred Seeger, Mrs. Kunkel, Mrs. McKillop and Mrs. John Nussbaum.

Councilman Renken asked Mr. Goodman what funds built the V.M.A. building and Mr. Goodman stated, donations, bazaars and other affairs.

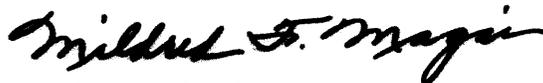
Mr. Renken then asked Mr. Goodman if he was authorized to speak for his organization and he replied that he was.

Councilman Renken also asked Mr. Smith and Mr. Kunkel if they were authorized to speak for their churches and Mr. Smith replied in the affirmative and Mr. Kunkel in the negative.

Supervisor Coyle asked if anyone desired to oppose adoption of an ordinance. No one appeared.

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

Signed,



Mildred F. Magai,  
Town Clerk.

TOWN BOARD MEETING

Jan. 26, 1959

Town Clerk's Office

8:00 P.M.

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

Supervisor Coyle called the meeting to order.

On motion made by Mr. Renken, seconded by Mr. Danko and unanimously carried, the minutes of the meetings held on Dec. 29th, 1958, Jan. 5th and 12th, 1959 and four hearings on Jan. 12th, 1959 were approved and accepted.

The Supervisor's monthly report for the month of December 1958 was submitted and filed.

Mr. Welchman moved the following resolution:

RESOLVED that the first regular meeting for the month of February be scheduled for February 6th, 1959 at 8:00 P.M. instead of on February 9th, 1959 because of the Association of Towns Annual Meeting.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED that the second regular meeting for the month of February be scheduled for February 24th, 1959 at 8:00 P.M. instead of on February 23rd, 1959, observance of Washington's birthday falling on the latter date.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED that Order setting hearing on Tudor Gate Extension of the New City-West Nyack Water Supply District be amended to schedule hearing at 8:30 P.M. on February 24, 1959 and Order setting hearing on Sickletown Road Extension of the New City-West Nyack Water Supply District be amended to schedule hearing at 9:00 P.M. on February 24th, 1959.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Town Attorney Johns reported all papers in connection with proposed dedication of roads in Meadow Brook Estates in Nanuet were in order for acceptance.

Mr. Renken moved the following resolution:

RESOLVED that deed and easement dated Dec. 19th, 1958 from Babs Homes, Inc. to the Town of Clarkstown, conveying Park Avenue, Lexow Avenue, Carrie Lane and a small portion of Convent Road as shown on map entitled "Meadow Brook Estates in Nanuet", be accepted, upon recommendation of the Superintendent of Highways, 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, Welchman, Coyle.

NAYES: None

The Board approved as to form and sufficiency Maintenance Bond #212928 covering Park Ave., Lexow Ave., Carrie Lane and portion of Convent Road as shown on map of Meadow Brook Estates in Nanuet.

The Town Attorney reported that the papers in connection with proposed dedication of roads in Sunny Ridge Estates-Section I were not yet in order for acceptance. The matter was ordered held.

Town Attorney Johns stated papers in connection with proposed dedication of roads in Blenker Estates-Section I were in order for acceptance.

Mr. Jeffrey moved the following resolution:

RESOLVED that, upon recommendation of the Superintendent of Highways, deed from Woodfield Manor, Inc. to the Town of Clarkstown, conveying Bonnie Lane, Elyse Drive and

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a portion of Collyer Avenue as shown on map entitled "Blenker Estates-Section I" 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, Jeffrey, Welchman, Coyle.

NAYES: None.

The Board approved as to form and sufficiency Maintenance Bond #212966 covering Bonnie Lane, Elyse Drive and a small portion of Collyer Avenue as shown on map entitled "Blenker Estates-Section I", New City.

The Town Attorney reported all papers in connection with proposed dedication of road in Paula Estates subdivision were in order.

Mr. Jeffrey moved the following resolution:

RESOLVED that, upon recommendation of the Superintendent of Highways, deed and easement from Lunar Builders, Inc. to the Town of Clarkstown bearing date January 26th, 1959, conveying Jeffrey Court as shown on map entitled "Revised Subdivision Map of Paula Estates, West Nyack", be accepted, and be it

FURTHER RESOLVED that the road 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, Jeffrey, Welchman, Coyle.

NAYES: None.

The Board approved as to form and sufficiency Maintenance Bond #78-76-10 covering Jeffrey Court as shown on map entitled "Revised Subdivision Map of Paula Estates, West Nyack".

With respect to proposed dedication of roads in Quaspeck Park Homes-Sec. II, the Town Superintendent of Highways reported the Town Engineer was not yet satisfied with the turn-arounds. The matter was ordered held.

The Town Attorney reported that proposed dedication of roads in the following subdivisions were not ready for acceptance and they were ordered held:

Hillside Park-Section I (Nanrock Development Corp.) Carmen Drive

Elton Acres (Rosewood Drive)

Woodvue Court, Valley Cottage (off Lake Road)

The Town Attorney reported that all papers in connection with proposed dedication of road in Rose Woods subdivision were in order.

Mr. Renken moved the following resolution:

RESOLVED that, upon recommendation of the Highway Superintendent, deed and easement dated Nov. 26, 1958 from Rose Woods, Inc., James F. & Madeline M. Wing, Walter F. & Sylvia Cummings, Richard J. & Joan Derella, James R. & Laurel Munzing, and Albert F. & Joan A. Tinston to the Town of Clarkstown, conveying Debra Lee Court and a small portion of Rose Road as shown on map entitled "Rose Woods", be accepted, and be it

FURTHER RESOLVED that the said road 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, Welchman, Coyle.

NAYES: None.

The Board approved as to form and sufficiency Maintenance Bond No. 72-31-106A covering Debra Lee Court and part of Rose Woods shown on map entitled "Map of Property of Rose Woods, Inc.".

Highway Superintendent Klein told the Board he had contacted residents on Brownsell Road with respect to renaming the road Phillips Hill Road and all except a couple of them were in favor of the proposal, stating their driver's licenses and post office addresses appeared as Phillips Hill Road. The matter was ordered held in abeyance.

On motion made by Mr. Danko, seconded by Mr. Welchman and carried, the Board opened hearing to consider a Bingo Ordinance.

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

Mr. Renken moved the following resolution:

WHEREAS, by Resolution of this Board dated Dec. 29, 1958, a Public Hearing upon a proposed ordinance of the Town Ordinances adding a new article, Article XXVI, entitled "BINGO REGULATIONS", in the Town of Clarkstown was held on the 26th day of January, 1959 at 8:30 P.M., Eastern Standard Time, after due publication thereof,

NOW THEREFORE, be it

RESOLVED, that the said proposed ordinance be and the same is hereby adopted and enacted effective upon publication and posting as required by law, as follows:

A new Article XXVI is hereby enacted to said

Ordinance as follows:

**ARTICLE XXVI  
BINGO REGULATIONS**

Article 1, Section 1 - This ordinance shall be known and cited as the Bingo Ordinance of the Town of Clarkstown.

Article 2, Sec. 1 - It is resolved and ordained, that it shall be lawful for any authorized organization, as defined in Section 476 of Article 14-G of the General Municipal Law, upon obtaining the required license, to conduct the game of bingo, within the territorial limits of the Town of Clarkstown, subject to the provisions of this ordinance, Article 14-G of the General Municipal Law and Article 19-B of the Executive Law, and the following restrictions:

1. No person, firm, association, corporation or organization, other than an authorized organization licensed under the provisions of this article, shall be permitted to conduct such games.

2. No bingo games shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid, wholly or partly on the basis of a percentage of the receipts or net profits derived from the operation of such game.

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3. The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.
4. No single prize shall exceed the sum or value of two hundred fifty dollars.
5. No series of prizes on any one occasion shall aggregate more than one thousand dollars.
6. No person except a bona fide member of any such organization shall participate in the management or operation of such game.
7. No person shall receive any remuneration for participating in the management or operation of any such game.
8. The unauthorized conduct of a bingo game and any willful violation of any provision of this ordinance shall constitute and be punishable as a misdemeanor.
9. No bingo game shall be permitted on Sunday.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Harold Haskell appeared and asked when the road connecting Snake Hill Road and Crusher Road would be completed, stating residents would like to see it completed before the end of March or April before heavy trucks get going. The Highway Superintendent reported it would be finished as soon as weather permitted. Supervisor Coyle stated he would contact the Trap Rock Corporation.

Town Attorney Johns stated he had received a letter from Hutton-Johnson Co., Inc., dated January 12, 1959, stating it would be agreeable to them to continue the leasing of the Receiver of Taxes' quarters on a month-to-month basis at the same rental terms as during the year 1958. The Clerk was asked to write a letter of thanks for their cooperation with the Town.

Councilman Danko reported that an investigation of the complaint by the Rockland County Garbagemen's Association revealed that it was a private matter between garbagemen and should be straightened out by their Association. A lengthy discussion ensued on garbage disposal and available land for fill. The Clerk was requested to write to Anthony Avallone, Esq., attorney for the Rockland Garbagemen's Association, advising an ordinance was not felt necessary in reference to private business transactions.

Councilman Danko reported that parking area proposed to be leased at West Nyack could be leased from Mr. Phillip Batt for a period of two or three years at \$46.00 per month rental. He stated the Town Engineer estimated room for 36 cars if lines were drawn.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Attorney be authorized to prepare the necessary documents in connection with leasing from Phillip Batt property in West Nyack to be used as a car parking area for residents of Clarkstown for a period of

three years at a monthly rental of \$46.00, and be it

FURTHER RESOLVED, that the Supervisor be authorized to execute the lease upon approval of the Town Attorney.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Board directed the Town Attorney to negotiate with Mr. Batt for having included in the lease, first option to purchase the property and also permission to consider installation of parking meters at a future date.

A discussion was held on the matter of a Memorial Day Ordinance, after which Mr. Renken moved the following resolution:

RESOLVED, that in pursuance of authority conferred by Section 86 of the General Municipal Law as amended by Chapter 387 of the Laws of 1957, and in order to maintain the dignity and solemnity of Memorial Day by which the residents of this county exhibit their respect and appreciation to those who gave their lives in the defense of their country and its ideals, the Town Board of the Town of Clarkstown hereby propose to ordain and enact the following ordinance:

**ORDINANCE REGULATING  
COMMERCIAL AND BUSINESS  
ACTIVITIES ON  
MEMORIAL DAY**

**Article I - Title.** This ordinance shall be known as the ordinance regulating Commercial and Business Activities on Memorial Day in the Town of Clarkstown.

**ARTICLE II - Trade Restricted.** All trades, Manufacturgrs and mechanical employments upon the 30th day of May, known as Memorial Day, are hereby prohibited, except that when the same are works of necessity, they may be performed on that day in their usual and orderly manner, so as not to interfere with the observances of said day.

**ARTICLE III- Business Restricted.** All manner of public selling or offering for sale of any property upon the 30th day of May, known as Memorial Day, is prohibited, except as follows:

(a) Articles of food may be sold, served, supplied and delivered at any time before ten o'clock in the morning.

(b) Meals may be sold to be eaten on the premises where sold at any time of the day.

(c) Caterers may serve meals to their patrons at any time of the day.

(d) Prepared tobacco, bread, milk, eggs, ice, soda water, fruit, flowers, confectionery, souvenirs, newspapers, magazines, gasoline, oil, tires, drugs, medicines and surgical instruments may be sold and may be delivered at any time of the day.

(e) Grocers, delicatessen dealers, and bakeries may sell, supply, serve and deliver cooked and prepared foods, and farmers' markets or roadside stands selling fresh vegetables and other farm produce, and fishing tackle and bait stores may sell, supply, serve and deliver merchandise usually sold by them at any time of the day.

(f) Persons, firms or corporations holding licenses or permits issued under the

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provisions of the Alcoholic Beverage Control Law permitting the sale of alcoholic beverages at retail, may sell such beverages.

Article IV - Penalties. Violations of this ordinance shall be punishable by a fine of not more than Fifty (\$50.00) Dollars or by imprisonment for not more than thirty days, or both such fine and imprisonment, and a person violating this ordinance shall be guilty of an offense against this ordinance.

Article V - Effective Date. This ordinance shall take effect on the date of its publication and posting as required by the Town Law.

And be it

FURTHER RESOLVED, that a Public Hearing be held at the Town Clerk's Office 16 South Main Street, New City, New York on the 24th day of February, 1959, at 9:30 P. M. Eastern Standard Time, concerning the adoption of the above ordinance, and be it

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.

Dated: January 26, 1959.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED that the Clerk be authorized to execute hydrant order for the installation of 3 hydrants in the north and south sections of Crambrook Terrace, New City, in the New City-West Nyack Water Supply District.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Councilman Jeffrey reported there were eight candidates for the job of Dog Warden, that he had talked to all and several have qualifications and equipment. The matter was held for recommendation by Mr. Jeffrey.

In connection with Jerrys Avenue street improvement, the Town Attorney advised there was more engineering data needed.

Councilman Welchman reported progress on petition for the Extension of the Nanuet Water Supply District to include Loran Court and Blauvelt Road, Nanuet, stating they would probably be ready for the next Board meeting.

The Town Engineer reported on visibility obstructions complained of, stating that he, together with the Chief of Police and Highway Superintendent were checking on each area.

The Board had called to its attention visibility obstruction at the corner of Route 304 and Germonds Road. The Chief of Police stated there was no one

living in the Kumpf house at present. The Town Attorney asked the Chief to send a notice of violation to the last known owner of the premises.

Mr. Renken moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 11th day of December, 1958, provided for a public hearing on the 12th day of January, 1959, at 8:00 P.M., Eastern Standard Time, to consider the application of WILLIAM BRAIN, JR., and ANTONIO PALMIERI to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioners from an RO district to a C-2 district; 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 on the east side of Route 304, at Bardonia, New York, in said Town, from an RO district to a C-2 district:

ALL those certain lots, pieces or parcels of land situate, lying and being in the Bardonia neighborhood of the Town of Clarkstown, County of Rockland, State of New York, and more particularly bounded and described as follows:

BEGINNING at a point in the easterly line of the right of way taking of State Highway No. 9005 and which point is 287.16 feet southerly from the southerly side of the Palisades Interstate Parkway right-of-way measured along the easterly side of State Highway No. 9005 and running thence (1) in an easterly direction and along the southerly boundary line of property now or formerly of Ortenberg on a course of south 60° 53' 05" east a distance of 343.03 feet to an iron pipe in the westerly side of the New York State Thruway access road and which point is marked by an iron pipe and running thence (2) in a southerly direction and along the westerly side of the said New York State Thruway access road on a course of south 16° 41' 25" west a distance of 164.08 feet to a point marked by an iron pipe and running thence (3) in a westerly direction and along the northerly boundary line of property now or formerly of Orange on a course of north 75° 17' 10" west a distance of 315.04 feet to a point in the easterly side of State Highway No. 9005 which point is marked by an iron pipe and running thence (4) in a northerly direction and along the easterly side of State Highway No. 9005 on a course of north 9° 04' 30" east a distance of 95.64 feet to a point marked by a stake and running thence (5) still in a northerly direction and along the easterly side of the right-of-way taking of State Highway No. 9005 on a course of North 13° 55' east a distance of 154.14 feet to a point marked by an iron pipe and the point or place of beginning.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 11th day of December, 1958, provided for a public hearing on the 12th day of January, 1959, at 8:30 P. M., Eastern Standard Time, to consider the application of

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ZIRA S. BAUMAN to amend the Building Zone Ordinance of the said Town by redistricting the property of the said Petitioner from a C-2 and R-0 district to an M-1 district; 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 on the east side of Route 304, north of Route 59A, in Nanuet, New York, in said Town, from a C-2 and R-0 district to an M-1 district:

ALL that plot, piece or parcel of land with the buildings and improvements erected thereon, situate, lying and being in Nanuet, Town of Clarkstown, County of Rockland, State of New York, and more particularly described as follows:

BEGINNING at a point marked by an iron pin on the easterly side of Route 304, said point being distant 156.0 feet northerly from the corner formed by the intersection of the northerly side of the Nyack Turnpike (old Route 59) and the easterly side of Route 304, as measured along the easterly side of Route 304; thence (1) northerly along the easterly side of Route 304, north 15 degrees 16 minutes east 327.0 feet to a point marked by an iron pin; thence (2) turning and running south 86 degrees 47 minutes east 805.0 feet to a point marked by an iron pin; thence (3) turning and running south 3 degrees 13 minutes west 341.0 feet to a point marked by an iron pin; thence (4) turning and running north 85 degrees 22 minutes west 873.4 feet to a point or place of beginning on the easterly side of Route 304.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that application of Flozir Realty Corp. for a Change of Zoning from an R0 & R-1 to an M-1 district for property located on the south side of Route 59 and east side of Smith Street, Nanuet, be denied without prejudice.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: Mr. Renken.

The Supervisor explained that denial was based on the fact there was no buffer zone shown along Smith Street, there were houses to the north, there was no buffer zone along the south side of the proposed area between that and residential property to the south, and the proposed realignment of Route 304 would bi-sect the Flozir property.

Supervisor Coyle read a letter dated January 14, 1959 from Charlotte Meneker, Route 304, New City, opposing granting a Zoning Change to Sidney Popik. He also read a letter dated January 24th, 1959 signed by Elmer and Gladys Emery, Calvin

and Helen Owen, H. Glen and Anne Eberling, Kenneth and Adelaide Lenhart and Fred Seeger, stating they were of the opinion Mr. Popik sought a variance, which they favored, but that they were opposed to a Change of Zoning, as a C-1 district would permit stores being built to the street line.

Mr. Jeffrey moved the following resolution:

WHEREAS neighbors have voiced objection and are directly concerned, living across from the property,

BE IT RESOLVED, that application of Sidney Popik for a Change of Zoning from an R-1 to a C-1 district for property on the east side of Route 304, New City, be denied.

Robert Granik, Esq., attorney for the petitioner, Sidney Popik, interrupted and asked if the Board was going to take letters received after the hearing into consideration, in making their decision, no objection having been made at the time of the hearing. Mr. Granik stated that in making a request for a Variance he was not sure he could prove hardship. He also stated his client could not meet sideline requirements having less than 3 acres, for an RO district.

It was explained by the Town Attorney that the Town Board as a legislative body could take into consideration anything of its own knowledge or brought to its attention after a hearing.

Supervisor Coyle told Mr. Granik that it was the duty of the Board to decide whether this was a proper extension of the business area under the Zoning Ordinance and inasmuch as the ordinance was in its first conception for the protection of the neighborhood and growth of the area, and inasmuch as there were people vitally affected living right across from the property the Board had to give them consideration.

It was suggested to Mr. Granik that he take the matter before the Zoning Board of Appeals.

Councilman Jeffrey stated he wished to withdraw his resolution inasmuch as this was a rather irregular procedure.

Mr. Renken moved the following resolution:

RESOLVED, that decision on application of Sidney Popik for a Change of Zoning from an R-1 to a C-1 zone on property located on the east side of Route 304, New City, be reserved.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Councilman Renken suggested that a copy of the letter from residents living across the road from the Popik property be forwarded to the Zoning Board of appeals and that the Clerk write to the Board of Appeals on behalf of the Board explaining the Board's position in the matter and that it would like to see this a residence office building. It was also to be pointed out that under present zoning requirements it was impossible for the Town Board to grant an RO classification in view of sideyard requirements and that the only answer to the problem would be the granting of a Variance by their Board. The Clerk was also asked to advise the Board of Appeals that if a

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variance is sought by Mr. Popik, the Town Board requests that favorable consideration be given same.

Mr. Jeffrey moved the following resolution:

RESOLVED, that a Special Permit pursuant to Section 4.32 F of the Zoning Ordinance be granted to Orchard Plains-Section III, with the proviso that only 14 building permits be issued in the year 1959 and the balance in 1960.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS property designated as Chestnut Knolls is basically in a very large RA-1X area and if rezoned would be spot zoning, opening up an additional area of several hundred acres which would have to be rezoned,

BE IT RESOLVED that application of Chestnut Knolls for a Special Permit pursuant to provisions of Section 4.32 F of the Zoning Ordinance be denied.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that a Special Permit pursuant to Section 4.32 F of the Zoning Ordinance be granted to High Tor Estates, with the proviso that only 14 building permits be issued in the year 1959 and the balance in 1960.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle spoke of the fact that newspapers indicated the Town Board had granted down-zoning changes for 15,000 square foot lots rather extensively. He reported that an examination of the records revealed that, in all, 35 more lots had been created than could have been built on in an RA-1X area without a Special Permit from January of 1958 to the present time. Copies of a breakdown on Special Permits and Zoning Changes in 1958 were distributed to members of the press.

The Supervisor read a letter dated January 16, 1959 from Lexow & Jenkins, attorneys for Hillcrest Village, asking permission to withdraw their application for a Change of Zoning. The Board granted permission.

Supervisor Coyle read a letter dated January 16, 1959 from residents of Oak Road, Birch Lane and Parker Avenue, New City, with respect to water hydrants. He stated he had spoken to a resident in the area advising him to get his insurance agent to write to the Fire Rating Organization and ask them to consider re-rating and if a written refusal is received the Board would consider what

should be done with the area.

Mr. Coyle told the Board the Industrial Study group in Rockland County had showed maps of industrial property in the Town made by the Engineer for Orange & Rockland Utilities, and that they were now anxious to get maps of the Town's RO area. He asked the Town Engineer's assistance in checking the matter.

Town Attorney Johns advised that an application for a Zoning Change had been filed by Leanora Christie and Bernice Mandell.

Mr. Jeffrey moved the following resolution:

RESOLVED that application of Leanora Christie and Bernice Mandell for a Change of Zoning from a C-2 and R-1 to A C-2 district for property on the northeast corner of Route 59 and Old Greenbush Road, West Nyack, be referred to the Planning Board pursuant to Sections 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, Welchman, Coyle.

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED that the Highway Superintendent be authorized to purchase one 1959 Thunderbird Station Wagon through the New York State Department of Standards and Purchases at a cost not to exceed \$2100.00

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

The Board signed Agreement for the Expenditure of Highway Moneys covering General Repairs in the sum of \$268,925.10 for primary work and general repairs on 114.87 miles of town highways.

A letter dated January 22, 1959 from Richard L. Wells, complaining of an advertising sign on the north side of Route 59 west of Sickletown Road, West Nyack, was read to the Board. The Building Inspector reported that he had checked, found the sign in violation and that it had been removed. The Clerk was requested to write and so inform Mr. Wells.

The Board was informed of a request by William Meyer for a month's leave of absence without pay for the month of February, from the Building Department. The Building inspector granted permission, stating this was a slow season and would not jeopardize office efficiency.

Mr. Welchman moved the following resolution:

RESOLVED that the Clerk be authorized to advertise for bids for the furnishing of fill for the Clarkstown Sanitary Fill for the year 1959.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

1/26/59

Supervisor Coyle stated, in reference to bond anticipation notes outstanding on a couple of road improvements in the Town that the banks would continue the notes at 2.9%

The Town Attorney reported to the Board that the petitioners' attorney and he were going to Albany to meet with the Department of Audit & Control in connection with Silver Birch Sewer District cost and assessment.

Town Attorney Johns reported that he had arranged a conference with all interested parties in connection with State owned lands.

The Town Attorney reported on the settlement of the Jacob Feldman certiorari proceeding, stating the matter had been settled for a \$7,750.00 assessment. He also reported that there were four other tax certioraris pending.

It was reported to the Board that two petitions for Annexation to the Village of Spring Valley of territory presently in the Town of Clarkstown had been filed with the Supervisor.

Mr. Welchman moved the following resolution:

RESOLVED that the two petitions for Annexation to the Village of Spring Valley of Territory in the Town of Clarkstown be referred to the Town Attorney.  
Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED that Doris King of Lake Road, Valley Cottage, be appointed School Crossing Guard at the Valley Cottage Grade School at \$6.00 per day, effective as of February 1st, 1959.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

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

Signed,

*Mildred F. Magai*  
Mildred F. Magai,  
Town Clerk.

TOWN BOARD MEETING

Town Clerk's Office

Feb. 6, 1959.

8:00 P.M.

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

Supervisor Coyle opened the meeting.

On motion made by Mr. Welchman, seconded by Mr. Renken and unanimously carried, the minutes of the public hearing and meeting on January 26, 1959 were adopted.