

PUBLIC HEARING

Town Clerk's Office

Apr. 13, 1959

8:30 P.M.

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

Supervisor Coyle opened the hearing.

The Clerk read notice of hearing to consider the application of Leanora Christie & Bernice Mandell for a Zoning Change from an R-1 to a C-2 district, covering property located at the northeast corner of Route 59 and Old Greenbush Road, West Nyack.

John McKenna, Esq. appeared on behalf of Leanora Christie, one of the applicants, and described the property and its location as being on the north side of Route 59 and the east side of Old Greenbush Road, West Nyack. He explained that the property was formerly owned by Bernice Mandell and Solomon Levinson and that under the Last Will and Testament of Mr. Levinson, Mrs. Christie owns one-third of the property. He stated that when the Zoning Ordinance of the Town was adopted, they made provision to run the C-2 portion of the property back 250' and under Section 2.3 of the Zoning Ordinance of the Town it states that if there is a land mark, the land mark would take precedence over the set-back. Mr. McKenna added that where Greenbush Road intersects Route 59, you would run back further than property owned by the applicants and therefore there would be no access from the property to and from Greenbush Road. He said it meant there was a piece of property there with no access to it, that the property zoned under R-1 does not fit an R-1 district and would be useless to anyone. He stated it had been before the Planning Board and they were favorable. Mr. McKenna said he was of the opinion that there had been an error when the Ordinance was drawn and that this land was intended to be all C-2 but through some error was zoned as today and therefore the zoning change was asked for.

Town Attorney Johns asked what buildings were located on the premises and was told there was a hotel which was also used as a restaurant and bar, several small buildings not used for anything in particular and a barn where there was horses and pony rides during season.

The Town Attorney then posed the following questions to Mr. McKenna who replied as follows:

Q: Will you tell the Board what is on the premises to the east?

A: Vacant land as far as I know.

Q: And to the south?

A: Route 59.

Q: And on the other side?

A: A triangular piece of vacant land and further down you have a church.

Q: What is on the west side of Greenbush Road?

A: Vacant land and the Cloverleaf area going into Route 303.

Q: And on the northerly line?

A: In the easterly portion is vacant land and along Greenbush road you run along and homes break it up.

Q: You seek the change for a triangular gore from its present R-1 to a C-2?

A: Yes, C-2, so the back piece of property can be used in conjunction with the front piece on Old Greenbush Road.

BRC442

74
P/H - 4/13/59 8:30 PM

Supervisor Coyle then asked if there was any effect on public safety and Mr. McKenna stated there wasn't because the outside part of the property is already zoned C-2 and the change is asked so the people can have the benefit of the property.

The Supervisor asked if anyone wished to be heard in favor of or opposition to the granting of the petition.

Jerome Trachtenberg, Esq. appeared and filed with the Board a petition in opposition to the granting of the change signed by 52 of the residents in the immediate vicinity of the petitioners' property. He spoke of the highly residential nature of property to the north of petitioners' and south of Route 59 along Greenbush Road and pointed out that increased traffic would be detrimental to the health, safety and general welfare of the community.

Others who appeared and registered opposition to the granting of the change were as follows: Rev. Hans K. Platzer of St. Thomas Lutheran Church, corner of Route 59 and Old Greenbush Road; Mr. Ralph Skedgell, 14 No. Greenbush Rd.; William N. Hubbard, 40 No. Greenbush Rd.; Mrs. Robert Rieschl, 64 No. Greenbush Rd.; Sefern Pulis, 27 No. Greenbush Rd.; Mr. Henry Sautar, Sunset View Drive; Donald L. Travis, Sunset View Drive and Mr. P. M. Anderson, 45 Sunset View Drive, West Nyack.

Charles Soll, Esq. then appeared on behalf of Bernice Mandell, stating the property in question had been in the Levinson family for a period of 40 to 60 years and that the property had been commercial property prior to adoption of the Zoning Ordinance in 1955. He stated that the petitioners wanted a means of egress and ingress into that portion of the property zoned R-1, which they did not have at present. He stated that it was intended to use this area for limited parking, that there was no intention of placing any installation thereon, and this could be made a condition.

Mr. Trachtenberg stated that a condition could not be taken into consideration in granting a change because the property might change hands over-night and there would be no control.

The Town Attorney then read a letter from the Planning Board dated March 2, 1959 favoring approval of the application pursuant to provisions of Sections 8.51, 8.52 and 8.522, which was placed on file.

No one else desiring to be heard, on motion made by Mr. Renken, seconded by Mr. Welchman and unanimously carried, the hearing was closed.

Signed,

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

PUBLIC HEARING

Town Clerk's Office

April 13, 1959.

8:45 PM

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

Supervisor Coyle called the hearing to order.

The Clerk read notice of Order setting hearing to consider petition of Gilbert Weisman, Sheila Weisman and Westclark Homes for an extension of the New City-West

Milton Shapiro, Esq., petitioner's attorney, introduced Mr. Joseph Adler, whom he stated would testify.

After being sworn by Supervisor Coyle, upon questioning by Town Attorney Johns, Mr. Adler testified as follows:

Q: Will you state your name?

A: Joseph Adler.

Q: I show you a petition for an extension to the New City-West Nyack Water Supply District, which petition is made by Gilbert Weisman, Sheila Weisman and Westclark Homes. Is that your signature?

A: Yes.

Q: What is your capacity with Westclark Homes, Inc.?

A: Vice-President.

Q: Did you sign this petition in your capacity as Vice-President?

A: Yes.

Q: Will this extension benefit all the property owners within the proposed district?

A: It will.

Q: Are all the property owners who will benefit from this proposed extension included within the limits of the proposed district or extension?

A: They are.

Q: Do you believe it is in the public interest to grant in whole or in part the proposed extension?

A: It is in the public interest.

Q: In what way will this proposed extension benefit the property owners involved?

A: It will result in a reduction of fire insurance rates and provide fire protection for the safety and well-being of property and lives.

Mr. Shapiro pointed out that at the time of the signing of the petition, Westclark Homes, Inc. owned all the property but that since some of the lots had been sold. The Town Attorney advised that the petition was treated as of the day of signing.

The Supervisor inquired whether anyone wished to appear in favor of or opposition to the extension. No one appeared.

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

Signed,

Mildred F. Nagai
Mildred F. Nagai,
Town Clerk.

PUBLIC HEARING

Town Clerk's Office

Apr. 13, 1959

9:00 PM

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

Supervisor Coyle called the hearing to order and the Clerk read notice of Order for hearing to consider petition of Gilbert Weisman, Sheila Weisman and Westclark Homes, Inc. for an extension of the East Spring Valley (R-7) Lighting District.

Milton Shapiro, Esq., petitioners' attorney, introduced Mr. Joseph Adler, saying he would testify as to necessity.

4/13/59

Mr. Adler was sworn by Supervisor Coyle and upon questioning by the Town Attorney testified as follows:

Q: Will you state your name?

A: Joseph Adler.

Q: I ask you to examine this petition for an extension to the East Spring Valley (R-7) Lighting District, which petition is made by Gilbert Weisman, Sheila Weisman and Westclark Homes, Inc. Is this your signature?

A: It is.

Q: What is your capacity with Westclark Homes, Inc.?

A: Vice-President.

Q: Did you sign this petition on behalf of Westclark Homes, Inc. in your capacity as Vice-President?

A: Yes I did.

Q: Will this extension benefit all the property owners within the proposed district?

A: It will.

Q: Are all the property owners who will benefit from this proposed extension included within the limits of the proposed district or extension?

A: They are.

Q: Do you believe it is in the public interest to grant in whole or in part the proposed extension?

A: It is.

Q: In what way will this proposed extension benefit the property owners involved?

A: There will be lights around and cut down on hazards.

The Supervisor asked if anyone wished to favor or oppose the extension. No one appeared. On motion by Mr. Danko, seconded by Mr. Welchman and unanimously carried, the hearing was closed.

Signed,

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

TOWN BOARD MEETING

Town Clerk's Office April 13, 1959.

8:00 PM.

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

Supervisor Coyle opened the meeting.

Mr. Renken moved the following proclamation:

This week, April 12-18, 1959, communities throughout the United States are celebrating the second National Library Week--a concerted, nationwide effort to focus attention on the importance of reading and libraries in our national life.

The overwhelming response to the first observance of National Library Week offered concrete evidence that people everywhere in America are concerned about the quality of our intellectual life. Today, more than ever before, we need to read in order to toughen and make resilient the intellectual vigor with which we face our problems; expand our mastery of the scientific revolution in which

we live; enlarge our knowledge and understanding of the other peoples of the world who are inextricably our neighbors; renew our spiritual and cultural heritage.

Although reading has always been an unparalleled source of entertainment, suddenly a "better-read, better-informed, America" is imperative. The printed word has become a necessity to keep us in readiness to exercise responsible citizenship. Only a wide variety of reading can inform us of what has been and what is, and can train the imagination to forge ahead into what might be in the future. Therefore,

We, the Town Board of the Town of Clarkstown, County of Rockland, State of New York, do hereby proclaim this week, April 12-18, 1959, to be Library Week and call on our citizens to join in an occasion which will recognize the vitality and strength of the printed word in today's world and its importance to our survival.

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 minutes of the meeting and hearings on March 23, 1959 and special meeting on April 1st, 1959 were approved and adopted.

Supervisor Coyle read a letter dated April 13, 1959 from Stephen G. Doig, Jr., Esq. with respect to plan of his clients, Great Oaks Homes, Inc. to abandon full installation of proposed sewage disposal for development due to opposition of neighbors to a disposal plant. Mr. Doig asked the Board to render a decision on application of Great Oaks Homes as soon as possible. Decision on the matter was held over to permit Councilman Jeffrey further study of the application.

Mr. Renken moved the following resolution:

WHEREAS, this Town Board has reviewed application made by Hillcrest Village, bearing date December 10, 1958, for a change of zoning from an SC and RA-1(X) to an R-1 district covering property located on the south side of West Clarkstown Road, Town of Clarkstown, and

WHEREAS, about 5 acres of the property sought to be changed is in an SC district and approximately 22 acres in an RA-1(X) district, the RA-1 (X) zone being a changeable one under the provisions of Section 4.32 (F), and

WHEREAS, this Board has considered the subject application in detail and feels that at this time it would open up a great area of land in RA-1(X) areas, if granted, and

WHEREAS, it is much preferred that a request of this nature covering property in an RA-1(X) zone be made under the provisions of Section 4.32 (F) Special Permit, which would require the applicant to meet certain standards before consideration and which has not been done in this case.,

NOW THEREFORE, BE IT RESOLVED that application of Hillcrest Village for a zoning change from an SC and RA-1(X) district to an R-1 district be denied.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

4/13/59

Mr. Jeffrey moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has, on January 26, 1959 duly adopted the ordinance with respect to "BINGO REGULATIONS" in said Town, and known as Article XXVI of the Town Ordinances and as amended, and

WHEREAS, it was determined that a special election be held to decide whether or not said "BINGO REGULATIONS" will be effective, be it

RESOLVED, that a special town election of the electors of the Town of Clarkstown, Rockland County, New York, will be held on the 7th day of May, 1959, between the hours of 2:00 o'clock in the afternoon and 8:00 o'clock in the evening, with the polls to be open between those hours, and with polling places as follows:-

The following Election Districts shall vote at Election District #1, at the New City Fire House, 15 Maple Avenue, New City:

<u>DISTRICTS:</u> 1 - 9 - 13 - 16 - 19	(New City)
7 - 14	(Congers)
3 - 15	(West Nyack)
11	(Bardonia)
2	(Rockland Lake)

The following Election District shall vote at Election District #4, at the Upper Nyack Fire House, North Broadway, Upper Nyack:

<u>DISTRICT:</u> 4	(Upper Nyack)
--------------------	---------------

The following Election Districts shall vote at Election District #5, at the Nanuet Fire House, 7 West Prospect Street, Nanuet:

<u>DISTRICTS:</u> 5 - 12 - 18	(Nanuet)
10 - 21	(Spring Valley)

The following Election Districts shall vote at Election District #8, at the Valley Cottage Fire House, Lake Road, Valley Cottage:

<u>DISTRICTS:</u> 6 - 20	(Central Nyack)
8 - 17	(Valley Cottage)

CLARKSTOWN PROPOSITION NO. 1

Shall Bingo be permitted within the territorial limits of the Town of Clarkstown, in accordance with the provisions of Article 1, Section 9, of the Constitution of the State of New York as amended; the provisions of Article 14-G of the General Municipal Law, Article 19-B of the Executive Law, the rules and regulations of the State Lottery Control Commission and in accordance with the provisions of an Ordinance duly adopted by the Town Board on January 26, 1959 entitled "BINGO REGULATIONS" in the Town of Clarkstown, Rockland County, New York, and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such special town election 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: April 13, 1959

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

WHEREAS, it appears desirable and in the public interest that the Zoning Ordinance of the Town of Clarkstown adopted April 4th, 1939, and as amended, be further amended as follows:

By amending Paragraph 1 of Section 4.31 of Article 4 to read as follows:

"4.31. Special Findings. Before granting a Special Permit under Sec. 8.333 for any use in Use Table Col. 3, the Board of Appeals (or the Town Board, where specified) shall make the following Special Findings (as well as any Additional Requirements and Conditions set forth for any specific use in the Use Table and in Sec. 4.32)."

By amending Section 4.32 of Article 4 to read as follows:

"4.32. Additional Requirements and conditions for Certain Special Permit Uses. The Board of Appeals (or the Town Board, where specified), subject to making the Special Findings in Sec. 4.31, may grant a Special Permit for any use in this Section, provided the Additional Requirements and Conditions for each use set forth in the lettered subsections below are complied with."

By amending Paragraph 1 of Section 4.32 (F) of Article 4 to read as follows:

"4.32 (F). Residences (in RA-1(X) conforming with Regulations for R-1 set forth in Groups I, J, or K of Bulk Table, provided the following Additional Requirements and Conditions shall be made by the Town Board, after public hearing and after reference to and report from the Planning Board within 30 days if receipt of the Town Board's request for a report."

By amending Roman numeral iii of Section 4.32 (F) of Article 4 to read as follows:

"iii. That the Town Board has studied the problems of providing necessary community facilities for the proposed development, and on the basis of such study finds that existing facilities or plans or reasonable possibilities for the expansion of such facilities are adequate to provide for the needs of future residents in the proposed development."

By amending Section 4.32 (F) of Article 4 by adding a new Roman numeral iv to read as follows:

"iv. That the health, safety, welfare, and morals of the Town will not be adversely affected."

By amending Paragraph 1 of Section 4.32 (G) of Article 4 to read as follows:

"4.32 (G). Residences (in R-1(X)) conforming with regulations for R-2 set forth in Groups M, N, and O of Bulk Table, provided the following Additional Requirements and Conditions shall be made by the Town Board, after public hearing and after reference to and report from the Planning Board."

4/13/59

By amending Roman numeral iii of Section 4.32 (G) of Article 4 to read as follows:

"iii. That the Town Board has studied the problems of providing necessary community facilities for the proposed development, and on the basis of such study findsthat existing facilities or plans or reasonable possibilities for the expansion of such facilities are adequate to provide for the needs of future residents in the proposed development."

By amending Section 4.32 (G) of Article 4 by adding a new Roman numeral iv to read as follows:

"iv. That the health, safety, welfare, and morals of the Town will not be adversely affected."

By amending Paragraph 1 of Section 8.333 of Article 8 to read as follows:

"8.333. Special Permits. On a reference by the Building Inspector after application to the Building Inspector for a building permit or a certificate of occupancy, the Board of Appeals (or the Town Board) is hereby authorized to issue a Special Permit for any use listed in Use Table Col. 3, subject to the Special Requirements and Conditions therein (or in Col. 8) and in Sec. 4.32. Every Special Permit shall also conform to all Special Findings relating thereto that are specified in Sec. 4.32. The Board of Appeals may also require, as a condition of issuance of any Special Permit, that it be periodically renewed, or may issue any Special Permit for a specific period of time, subject to adequate guarantees that the use covered will be terminated at the end of the period specified or such extension thereof as may be granted by said Board. Any such renewal or extension shall be subject to the same procedure and requirements as specified herein for the original issuance of the Special Permit involved. In granting a Special Permit or a renewal or extension thereof, theBoard of Appeals (or the Town Board) shall in all cases file a written report setting the applicable Special Requirements and Conditions and Special Findings and the reasons for granting such permit, renewal or extension."

By amending Column 3, Paragraph 2 in District R-1 of Section 3.11 of Article 3, Table of General Use Regulations to read as follows:

"Residences conforming with regulations for R-1 set forth in Groups I, J, and K of Bulk Table and as provided in Sec. 4.32 (F)."

By amending Column 3, Paragraph 2 in District R-1 (X) of Sec. 3.11 of Article 3, Table of General Use Regulations to read as follows:

"Residences conforming with regulations for R-2 set forth in Groups M, N, and O of Bulk Table, and as provided in Sec. 4.32 (G)."

By amending Section 4.46 of Article 4 to read as follows:

"4.46. Dumps, except those owned or leased and operated by the Town and the dump now owned and operated by the Village of Nyack."

NOW THEREFORE, 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 27th day of April, 1959, at 8:30 P.M. o'clock in the evening, Eastern Daylight Saving Time, relative to such proposed amendments, and it is

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in The Clarkstown Citizen, Inc., at New City, New York, in the manner provided by law, 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 Town Clerk.

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. Danko, seconded by Mr. Jeffrey and unanimously carried, the Board opened hearing to consider the application of Leanora Christie and Bernice Mandell for a change of zoning from an R-1 to a C-2 district.

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

Mr. Renken moved the following resolution:

RESOLVED, that decision on the application of Leanora Christie and Bernice Mandell for a change of zoning from an R-1 to a C-2 district, on property at the northeast corner of Route 59 and Old Greenbush Road, West Nyack, be reserved.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Robert Granik, Esq. appeared in connection with two applications for Special Permits filed with the Board, namely that of Kirchner & Schales and that of M A K Development Corporation. He was advised that if found in order by the Town Attorney they would be referred to the Planning Board for report.

On motion made by Mr. Welchman, seconded by Mr. Renken and unanimously carried, the Board opened hearing on petition of Gilbert Weisman & Sheila Weisman and Westclark Homes, at Hillcrest for the extension of the New City-West Nyack Water Supply District.

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

The Board signed the following order:

4/13/59

BEFORE THE TOWN BOARD OF CLARKSTOWN

ROCKLAND COUNTY

-----X
 :
 In the Matter of the Petition for an
 Extension of the New City-West Nyack Water :
 Supply District of WESTCLARK HOMES, at :
 HILLCREST, in the Town of Clarkstown, :
 Rockland County, New York. :
 -----X

ORDER
EXTENDING
DISTRICT

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 24th day of February, 1959, for the hearing of all persons interested in the matter on the 23rd day of March, 1959, at 8:30 P. M., Eastern Standard Time, at the office of the Town Clerk, 16 South Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the New City-West Nyack Water Supply District of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:

BEING all of the premises shown and described as Block "A", Lots, 1, 2, 3, and 4, and Block "B", Lots 1, 2, 3, 4, and 5, on a certain map entitled "WESTCLARK HOMES in Hillcrest, Towns of Clarkstown and Ramapo, Rockland County, New York", made by William A. Yda, P.E., dated November 1st, 1957, filed in the Office of the Clerk of the County of Rockland on June 5th, 1958, in Book 59 of Maps, page 2, Map No. 2567.

Dated: April 13, 1959.

- S/ John W. Coyle, Supervisor
- S/ Stephen Danko, Councilman
- S/ Joseph Welchman, Councilman
- S/ Alastair D. Jeffrey, Councilman
- S/ John H. Renken, Jr., Councilman

Members of the Town Board

On motion made by Mr. Danko, seconded by Mr. Renken and unanimously carried, the Board opened hearing on petition of Gilbert Weisman & Sheila Weisman and Westclark Homes, at Hillcrest for an extension of the East Spring Valley (R-7) Lighting District.

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

The Board signed the following order:

BEFORE THE TOWN BOARD OF CLARKSTOWN

ROCKLAND COUNTY

-----X

----- X
 In the Matter of the Petition for
 an Extension of EAST SPRING VALLEY (R-7)
 LIGHTING DISTRICT OF WESTCLARK HOMES, at
 HILLCREST, in the Town of Clarkstown,
 Rockland County, New York. ----- X

ORDER
 EXTENDING
 DISTRICT

BBC442

A petition in this matter for the Extension of EAST SPRING VALLEY (R-7) LIGHTING DISTRICT of WESTCLARK HOMES, at HILLCREST, in the Town of Clarkstown, Rockland County, New York having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 24th day of February, 1959, for the hearing of all persons interested in the matter on the 23rd day of March, 1959, at 8:45 P. M., Eastern Standard Time, at the office of the Town Clerk, 16 South Main Street, New City, New York, and a hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefited thereby, that all property and property owners benefited were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the creation of such extension as proposed be approved; it is hereby

ORDERED, that the EAST SPRING VALLEY (R-7) LIGHTING DISTRICT of WESTCLARK HOMES, at HILLCREST, in the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town described as follows:

BEING all of the premises shown and described as Block "A", Lots 1, 2, 3, and 4, and Block "B", Lots 1, 2, 3, 4, and 5, on a certain map entitled "WESTCLARK HOMES in HILLCREST, Towns of Clarkstown and Ramapo, Rockland County, New York", made by William A. Yda, P.E., dated November 1st, 1957, filed in the office of the Clerk of the County of Rockland on June 5th, 1958, in Book 59 of Maps, page 2, Map No. 2567.
 Dated: April 13, 1959.

- s/ John W. Coyle, Supervisor
- s/ Stephen Danko, Councilman
- s/ Joseph Welchman, Councilman
- s/ Alastair B. Jeffrey, Councilman
- s/ John H. Renken, Jr., Councilman

Highway Superintendent Klein reported on his examination of bids for furnishing of a sicklebar mower and recommended that contract be awarded to Tyler-Preusser, Inc.

Mr. Renken moved the following resolution:

RESOLVED, that contract for the furnishing of 1 new Case Model 310B, Group AM-30 fully automatic power driven roadside mower be awarded to Tyler-Preusser, Inc., 900 West Street, Pelham Manor, New York, in accordance with proposal dated March 10, 1959, at a net price of \$2,888.35 with trade-in.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Engineer reported on the drainage complaint of Walter Dietze, made by E. Alfred Festa, Esq., stating that the drainage course was presently operating as it should, that it needed normal maintenance at the moment but he could not recommend that the Town do further work on it. The Town Engineer also reported

that he could not recommend installing a grating over the drainage pipe as it would obstruct the flow and get clogged up.

Mrs. Charles Bletsch of 7 Carolina Drive, New City, appeared before the Board on behalf of the Chestnut Grove School P.R.A. and asked that sidewalks be put in in the area of the school. The Supervisor told Mrs. Bletsch that it was proposed to widen Middletown Road and that if sidewalks were installed now they might be torn up later, and there was only a limited amount of money budgeted for sidewalks.

The Town Attorney reported to the Board that he had been successful in obtaining from the owners involved in Pigeon Hill Road, checks in the amount of \$500.00 which had been turned over to the Supervisor. The Highway Superintendent was directed to complete the work necessary to be done before road dedication.

Councilman Welchman reported that he had spoken to the insurance carrier with respect to the erection of a sign for the Prospect Street railroad crossing. The carrier had advised that they did not recommend putting up a sign but that the Town was protected as far as liability for signs over a thoroughfare or grade crossing is concerned.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Clerk, on behalf of the Town of Clarkstown, request the New Jersey and New York Railroad Company to install protective signals at the Prospect Street railroad crossing in Manuet, New York.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Attorney reported that petition for Jerrys Avenue street improvement was not yet in proper form. The matter was ordered held.

Mr. Jeffrey moved the following resolution:

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the office of the Town Clerk at 16 South Main Street, New City, in said Town of Clarkstown, on the 13th day of April, 1959.

PRESENT: John W. Coyle, Supervisor
Joseph Welchman, Councilman
Stephen Danko, Councilman
John H. Renken, Jr., Councilman
Alastair Jeffrey, Councilman
Members of the Town Board

-----X
In the matter of the Petition of WINTHROP REALTY CORP., TALLU REALTY, INC. DATO REALTY CORP., and TULIP REALTY, INC. for an Extension of the New City-West Nyack Water Supply District at New City, in the Town of Clarkstown, Rockland County, New York. ORDER

-----X
WHEREAS, a written petition dated March 24, 1959, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for an extension of the New City-West Nyack Water Supply District at New City, in

the said Town, to be bounded and escribed as follows:

BEING all of the premises shown and described on a certain subdivision plan entitled "Star Estates" in New City, Town of Clarkstown, Rockland County, New York, made by William A. Yuda, P.E., dated May 12, 1958, filed in the office of the Clerk of Rockland County in Book 59 of maps, page 25 as Map #2590.

it is hereby

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the office of the Town Clerk in New City, New York, on the 27th day of April, 1959, at 9:00 P.M., Eastern Daylight Saving Time, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be required by law or oroper in the premises.

Dated: April 13, 1959.

- S/ John W. Coyle, Supervisor
- S/ Joseph Welchman, Councilman
- S/ Stephen Danko, Councilman
- S/ John H. Renken, Jr., Councilman
- S/ Alastair Jeffrey, Councilman

Members of the Town Board

Seconded by Mr. Renken.

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 application of Herman Dohman and Augusta E. Dohman and James E. Sterns and Marilyn Sterns for a Change of Zoning from an RA-1 to an R-1 district on property located on the north side of Christian Herald Road, Valley Cottage, New York, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Town Attorney Johns stated that Flozir Realty Corp. had filed an application for a change of zoning on a portion of the property previously sought to be rezoned.

Mr. Welchman moved the following resolution:

RESOLVED, that application of Flozir Realty Corp. for a Change of Zoning from an R0 to an M-1 District on property located on Route 59, Nanuet, New York, be referred to the Planning Board for report pursuant to the provisions of 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. Renken moved the following resolution:

RESOLVED, that application of Mitchell Miller for a Change of Zoning from an RA-1X and M-1 to an R-1 district on property located at Maple Road and Fulle Drive, Valley Cottage, New York, be referred to the Planning Board for report pursuant to the provisions of Sections 8.51, 8.52 and 8.522 of the Zoning Ordinance.

BRC442

4/13/59

Seconded by Mr. Danko.

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 application of John H. Clarke for a Change of Zoning from an R-1 to a C-2 district on property located at Rose Road, Nanuet, New York, be referred to the Planning Board for report pursuant to provisions of Sections 8.51, 8.52 and 8.522 of the Zoning Ordinance.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle read letter from the insurance carrier dated April 8, 1959 acknowledging receipt of copy of Notice of Claim in matter of Vickie Voss and George P. Voss against the Town of Clarkstown.

The Supervisor read a letter from the Board of Water Commissioners of the Village of Nyack, dated March 25, 1959, advising of deletion of 3 hydrants in the annexed portion of Central Nyack and addition of 5 hydrants in West Nyack Water Supply District No. 2 to their contract with the Town.

Mr. Renken moved the following resolution:

RESOLVED, that letter from the Board of Water Commissioners of the Village of Nyack bearing date March 25, 1959 be attached to and made a part of contract for hydrants.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

A letter from the Board of Water Commissioners of the Village of Nyack dated March 25, 1959, advising that hydrant ordered for the intersection of Klein Avenue and West Street, West Nyack, would be installed as soon as the Highway Superintendent gave approval and that no charges for rental would be made until January 1960, was read to the Board and ordered filed.

Mr. Welchman moved the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. be authorized to replace the 5 present 600 lumen street lights on Mountain View Avenue, the 1 on Pole No. 2 Second Street and the 1 on Pole No. 13 Laurel Road, Central Nyack, with 1000 lumen lights at an additional cost of \$65.52 annually, in accordance with proposal dated March 26, 1959.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read copy of a letter addressed to Chief Wiebicke by the Rockland Lake P.T.A. under date of March 28, 1959. Chief Wiebicke reported he

4/13/59

was making a survey on the matter.

A letter from the State Traffic Commission dated April 2, 1959 enclosing Order with respect to change of type of traffic signal at Smith Street and Route 59, Nanuet, was read to the Board and ordered filed.

Mr. Coyle read a letter from the State Traffic Commission dated April 10, 1959 advising a study had been made of Chief Wiebicke's request to lower the 40 MPH speed to 30 MPH on Route 304 between Nanuet and Pearl River. It stated that they had found it not proper to comply. The letter was ordered filed..

The Clerk was requested to contact Mr. Henry Gildersleeve asking him to submit a rider to Bond #616945 extending period covered for one year.

Petition dated April 9, 1959 signed by Everett M. Johnston of Willow Brook Farms, Joseph and Margaret Dittman, John J. Yda, James Pappas, William Forlow and Francis H. Koop, owners of property in block bordered by Maple Avenue, First Street, park Avenue and Second Street, New City, asking that error on Zoning Map showing same as an R0 district instead of a C-1 district be corrected.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Town Engineer be directed to correct error on the Clarkstown Zoning Map with respect to block bounded by Maple Avenue, First Street, Park Avenue and Second Street, New City, presently shown as an R0 district, to a C-1 district.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Bradley Moore appeared and called the Board's attention to the added traffic on Second Street due to the Windmill Estates development and the hazard to children where it enters Park Avenue at the north and continues East. The Chief was requested to investigate to see if visibility was obstructed by shrubbery on the Rogers and Blauvelt properties.

Supervisor Coyle read a letter from the Spring Valley Water Works & Supply Company dated April 9, 1959 enclosing hydrant order for two hydrants on Irion Drive, New City, It was referred to the Town Engineer to check on locations.

The Board approved as to form and sufficiency the following:

Performance Bond #214528
Davies Lake Homes-Section 2,
New City, N. Y.

Performance Bond #213916
Nanuet Construction Corp.
Nanuet, N. Y.

Monthly reports of the Dog Warden, Town Clerk, Welfare Officer, Police Department and Supervisor for the month of March, as well as Town Comptroller's report of accounts for 1958, were submitted and placed on file.

Mr. Harry S. McKane of 12 Cherry Hill Lane, West Nyack, filed with the Board a letter from the New York State Civil Service dated March 27, 1959, in answer to a telephone inquiry made by him with regard to "conflict of interest" between work of Building Inspector and architect who prepares plans, and employees in office on provisional basis. He suggested asking the Civil Service Commission for a test and Mr. Coyle stated the Commission was in the process of fixing titles for Inspectors 1, 2 and 3 but were swamped with their work load. Mr. Coyle stated consideration was

BBC-442

4/13/59

being given to setting up a County Civil Service because the State was almost unable to handle it.

Mr. D'Antoni of Cherry Hill Lane, West Nyack, asked Mr. Coyle to clarify a statement he had released to the press in connection with the Building Inspector's employment, with the Town. He stated Mr. Renken had advised, at a meeting from which Mr. Coyle was absent, that Mr. Coyle meant that any architectural work performed by Mr. Schumacher was strictly in accord with the terms of his employment by the Town. He then asked Mr. Coyle to clarify that statement, whereupon Mr. Coyle stated, "Yes. As I understand it, Mr. Schumacher was taken on with the understanding that he would be able to do other work and earn additional money". Mr. D'Antoni referred to a statement prepared by him on March 9th, 1959, which made mention of a conversation with Mr. Burleigh, who was a member of the Town Board when the Zoning Ordinance was adopted, and who was of the opinion that the Building Inspector was not permitted to do architectural work in off hours. Mr. D'Antoni was then shown papers relating to the original Amendment to the Town Ordinances, Article XXII, which show that a proposed prohibition against the Building Inspector performing services in the Town was eliminated before the Ordinance was adopted. Mr. D'Antoni then said he would still like to know if the practice of the Building Inspector was legal under Article XXII, Section 1, Paragraph D. Mr. Coyle referred the question to the Town Attorney and Mr. Johns replied "Yes".

Mr. Coyle told the Board he had received letters from Ramapo Central School District No. 2 and from Clarkstown Central School District No. 1 setting forth school facilities for consideration in further zoning changes.

Supervisor Coyle read a letter on 350th Anniversary of Hudson-Champlain Anniversary Celebration, dated April 7, 1959, asking for an allocation \$1250.00. The matter was referred to Mr. Johns to investigate the legal aspect.

The Supervisor advised he had received a letter from the New City Jewish Community Center asking to be included in the proposed New City Sewer system. He advised that he would refer same to the attorney for the petitioners.

The Board was apprised of an invitation from the Veterans of Foreign Wars to attend their Loyalty Day Parade on May 3, 1959. Councilman Jeffrey stated he would be able to attend.

Mr. Danko moved the following resolution:

RESOLVED that the following persons be appointed Inspectors of Election to serve at Special Election on Bingo on May 7, 1959, at \$20.00 per diem:

Fred J. Seeger - Chairman
Antoinette Johnson
John Riley
Helen Arbeider
Joyce Doersch
Esther Hansen
Bobby E. Snyder
Minnie Peterson:

Edward Gilhuley, Sr., - Chairman
John E. Knox

Harold E. McLeod - Chairman
George V. V. Rouse
Harry Sergeant
Rita Keahon

4/13/59

Helen Klos - Chairman
Mabel Bierds
Clara Wadsworth
Leota Janson

Supervisor Coyle reported to the Board that he had received a letter from Martin Bernstein, which appeared in the newspaper, in which he offered his services to the Town.

Councilman Renken reported he had visited the Assessor's office and that the Assessor has a problem in keeping up with transfers, new construction, re-appraisals and so forth so that they will be included before the closing of the tax roll on June 1st. He stated that the Assessor had asked for a part-time girl for the office and part-time man to go out into the field between the 15th of April and 1st of June when the roll closed. Mr. Renken stated he did not believe the money for same had been budgeted and asked the advisability of taking it out of Current Surplus. Mr. Renken was requested to work the matter out with the Assessor and submit a recommendation at the next Board meeting.

Councilman Renken called attention to the fact that there was a telephone pole that juts out 2' from the curb on the east side of Kings Highway, Valley Cottage, in front of Buddy's market. The Clerk was requested to check with the Orange & Rockland Utilities, Inc. as to whether the Town owned property in back of the pole, and if so, that the pole be moved.

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

Signed,
Mildred F. Magai
Mildred F. Magai,
Town Clerk.

PUBLIC HEARING

Apr. 27, 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 proposed amendments to the Zoning Ordinance of the Town of Clarkstown (Sections 3.11, 4.31, 4.32, 4.32 (F), 4.32 (G), 8.333 and 4.46).

The Supervisor explained to those present that the amendment was being considered for the purpose of simplifying procedure and asked if there were any questions. No questions were asked.

Supervisor Coyle then asked if anyone wished to be heard in favor of or opposition to the adoption of the proposed amendments. No one appeared.

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

Signed,
Mildred F. Magai
Mildred F. Magai,
Town Clerk

BBC442