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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

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PUBLIC HEARING

Town Clerk's Office

Apr. 27, 1959

9:00 P.M.

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 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 to include Star Estates, New City.

Mr. Roger C. Simons, an officer of all four petitioning corporations, was sworn by Supervisor Coyle and when questioned by the Town Attorney testified as follows:

Q: Will you state your name?

A: Roger C. Simons.

Q: Mr. Rogers, I show you this petition for an extension to the New City-West Nyack Water Supply District and ask if you recognize it as the one executed by Mr. Irvin L. Glantz as President of Winthrop Realty Corp., Tallu Realty, Inc., Dato Realty Corp. and Tulip Realty Inc.?

A: Yes, it is.

Q: This is a petition for a Water Supply District in Star Estates. Is that correct?

A: Yes.

Q: What is your capacity with the corporations?

A: I am Assistant Secretary of all four corporations.

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

A: Yes. 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: Yes. I do.

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

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

The Supervisor asked if anyone wished to voice favor or opposition to the granting of the extension. No one appeared.

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.

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TOWN BOARD MEETING

Town Clerk's Office Apr. 27, 1959.

8:00 P.M.

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

Supervisor Coyle called the meeting to order.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Town of Clarkstown adopt Eastern Daylight Saving Time for all meetings and hearings.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko moved the following resolution:

RESOLVED, that James Summers of Congers be appointed to care for Station Plaza, Congers, at an hourly wage of \$1.50, effective as of May 1, 1959.

Seconded by Mr. Welchman.

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 Edward Locke, Jr. of Fulle Drive, Valley Cottage, be appointed to care for Station Plaza, Valley Cottage, at an hourly wage of \$1.50, effective as of May 1st, 1959.

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:

RESOLVED, that Clara Wadsworth of 17 Dickinson Avenue, Central Nyack, be appointed to replace Walter Harlukowicz as Inspector of Elections for Special Election on Bingo, on May 7, 1958, at \$20.00 per day.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Edward G. Roepe, Esq. appeared before the Board in connection with the grant by the Federal Housing and Home Finance Agency in the amount of \$6500.00, for the purpose of getting an engineer to prepare proper plans for the proposed New City Sewer District.

Mr. Jeffrey moved the following resolution:

WHEREAS, pursuant to an application of the Town of Clarkstown, Housing and Home Finance Agency has made available to said Town the sum of Six Thousand Five Hundred (\$6,500.00) Dollars to aid in financing the cost of plan preparation, to consist of preliminary plan preparation for sewerage and sewage treatment facilities for an area at New City, in the Town of Clarkstown, Rockland County, New York, more particularly set forth in said application,

NOW THEREFORE, BE IT

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RESOLVED, that the said offer be and it hereby is accepted; and be it further

RESOLVED, that the Supervisor of the Town of Clarkstown be and he hereby is authorized and empowered to execute the acceptance of said offer on behalf of the Town of Clarkstown, and that the same be attested in the usual form by its Town Clerk.

Seconded by Mr. Welchman.

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 Supervisor be authorized to execute agreement between the Town of Clarkstown and Scovill and Boswell, Consulting Engineers, having their office and principal place of business at 219 South Main Street, New City, New York, for a preliminary engineering study of a proposed sewer district to serve the business area of New City in said Town.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Edward G. Roepe, Esq., Special Counsel for Silver Birch Sewer District, appeared before the Board in connection with Serial Bond resolution and companion Bond Anticipation Note resolution.

Mr. Welchman moved the following resolution:

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED APRIL 27, 1959, AUTHORIZING  
THE CONSTRUCTION OF A SANITARY SEWER SYSTEM  
IN SILVER BIRCH SEWER DISTRICT, IN THE TOWN  
OF CLARKSTOWN, AT AN ESTIMATED MAXIMUM COST  
OF \$28,000, APPROPRIATING SAID AMOUNT THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$28,000 SERIAL  
BONDS ON SAID TOWN TO FINANCE THE APPROPRIATION.

Recitals

WHEREAS, after a public hearing duly called and held, the Town Board of the Town of Clarkstown, New York, has determined that the petition for the establishment of Silver Birch Sewer District, in the Town of Clarkstown, is signed and acknowledged or proved as required by law, that all the property and property owners within the District are benefited thereby, that all the property and property owners benefited are included within the limits of the District and that it is in the public interest to proceed with the establishment of the District and the construction of a sanitary sewer system therein, as set forth in said petition, and approved said establishment and construction; and

WHEREAS, following submission of an application by said Town Board,

the State Comptroller granted permission to establish the said District by order dated March 4th, 1959, 1959, which order was duly filed with and presented to said Town Board at its first meeting held after said order was so filed; and

WHEREAS, said Town Board adopted an order on March 9, 1959, establishing Silver Birch Sewer District, which order was duly recorded with the Clerk of Rockland County and duly filed with the Department of Audit and Control, and it is now advisable to authorize the construction of said sewer system and the issuance of bonds of said Town in the principal amount of \$28,000 to finance the cost thereof; now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, (by the favorable vote of not less than two thirds of all the members of said Board) AS FOLLOWS:-

Section 1. The construction of a sanitary sewer system in Silver Birch Sewer District, in the Town of Clarkstown, New York, including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required, all as hereinabove referred to in the recitals of this resolution, is hereby authorized. The estimate of the maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$28,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of serial bonds of the Town of Clarkstown in the principal amount of \$28,000 and the assessment, levy and collection of special assessments on the several lots and parcels of land within the said Silver Birch Sewer District, in the Town of Clarkstown, which the Town Board shall deem especially benefited thereby to pay the principal of said bonds and the interest thereon, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

Section 2. To finance the said appropriation, serial bonds of the Town of Clarkstown are hereby authorized to be issued in the principal amount of \$28,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended.

Section 3. The following additional matters are hereby determined and stated:-

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 4 of said Local Finance Law, is thirty (30) years.

(b) Current funds are not required by said Law to be provided prior to the issuance of the bonds authorized by this resolution.

(c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any notes in anticipation thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds shall be general obligations of the Town of Clarkstown, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The Faith and credit of the Town of Clarkstown are hereby irrevocably pledged to the

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punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of said Local Finance Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of said Law, the powers and duties of the Town Board relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds hereby authorized and of any notes issued in anticipation thereof are hereby delegated to the Supervisor as the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

\* \* \*

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:

**BOND ANTICIPATION NOTE RESOLUTION OF THE TOWN  
OF CLARKSTOWN, NEW YORK, AUTHORIZING THE ISSUANCE  
OF \$28,000 NOTES IN ANTICIPATION OF THE SALE OF  
SERIAL BONDS ON THE TOWN HERETOFORE AUTHORIZED TO  
BE ISSUED IN THE PRINCIPAL AMOUNT OF \$28,000.**

(Adopted April 27, 1959)

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:-

Section 1. Bond anticipation Notes of the Town of Clarkstown, in the principal amount of \$28,000 are hereby authorized to be issued at one time or from time to time, as funds are required, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended, for the specific object or purpose of financing the construction of a sanitary sewer system in Silver Birch Sewer District, in the Town of Clarkstown, all as more fully described in a bond resolution entitled:-

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"Bond Resolution of the Town of Clarkstown, New York, adopted April 27, 1959, authorizing the construction of a sanitary sewer system in Silver Birch Sewer District, in the Town of Clarkstown, at an estimated maximum cost of \$28,000, appropriating said amount therefor and authorizing the issuance of \$28,000 serial bonds of said Town to finance the appropriation,"

duly adopted by the Town Board on the date referred to therein. Said Notes are issued in anticipation of the sale of serial bonds of said Town. No bond anticipation notes have been previously issued or are outstanding in anticipation of the sale of said bonds and the Notes hereby authorized are not renewal notes. The period of maturity of the Notes hereby authorized shall not exceed one year and may be renewed pursuant to the provisions of the Local Finance Law. Said Notes authorized by this resolution are for an assessable improvement.

Section 2. Said Notes shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Notes and provision shall be made in the budgets of the Town by appropriation for the redemption of the Notes to mature in such year and for the payment of interest to be due in such year.

Section 3. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to Section 50.00 and Sections 56.00 to 60.00 of said Law, the power to prescribe the terms, form and contents and as to the sale and issuance of the bond anticipation notes authorized by this resolution are hereby delegated to the Supervisor as the chief fiscal officer of the Town.

Section 4. Said Notes shall be executed in the name of the Town by the Supervisor and the corporate seal of said Town shall be affixed thereto and attested by the Town Clerk or the Deputy Town Clerk.

Section 5. This resolution shall take effect immediately.

\* \* \*

Seconded by Mr. Welchman.

On roll call, the vote was 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 on amendments to the Zoning Ordinance with respect to Special Permits.

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

Mr. Jeffrey moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 13th day of April, 1959, provided for a public hearing on the 27th day of April, 1959, at 8:30 P.M., Eastern Daylight Saving Time, to consider amendments to the Zoning Ordinance of the Town of Clarkstown; 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

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notice;

NOW THEREFORE, BE IT RESOLVED that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is 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 of 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 H, 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."

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 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 (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, the Board 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."

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mrs. Joan Connolly appeared before the Board in connection with a request for a building permit pursuant to Section 280-A of Town Law for property on Gilchrist Ave., Congers. No action was taken, due to some drainage information being needed.

Mr. Renken moved the following resolution:

WHEREAS, property of Leanora Christie and Bernice Mandell, located at the northeast corner of Route 59 and Old Greenbush Road, West Nyack, is presently zoned C-2 to a depth of 250 feet along Route 59, and

WHEREAS, this Town Board feels there is ample space to serve petitioners' needs with respect to ingress and egress, and

WHEREAS, it is not the intent of this Town Board to extend the commercial zones beyond the 250 foot depth,

NOW THEREFORE, BE IT RESOLVED that application of Leanora Christie and Bernice Mandell for a Change of Zoning from an R-1 to a C-2 district for property located at the northeast corner of Route 59 and Old Greenbush Road, West Nyack, be denied.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle read a letter dated April 21, 1959, from Great Oaks Homes, Inc. withdrawing application of Great Oaks Homes, Inc. (formerly New City Park Estates, Inc.) for a Zoning Change from RA-1(X) to R-1 on property located on the north side of West Clarkstown Road, New City.

Mr. Welchman moved the following resolution:

RESOLVED, that Great Oaks Homes, Inc. be granted permission to withdraw application for a Zoning Change from an RA-1(X) to an R-1 district, covering

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property on the north side of West Clarkstown Road, New City.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Highway Superintendent reported to the Board that the work necessary to complete Pigeon Hill Road, so that it would be acceptable for dedication, would be done in a couple of days. The Town Attorney reported there was on file a deed for the road and an old maintenance bond but that he had returned the title to be brought up to date. Mr. Johns also noted that there was a lien on the road and the Highway Superintendent stated that the new owner had promised to pay off the lien.

Mr. Renken moved the following resolution:

BOND ANTICIPATION NOTE RESOLUTION OF THE TOWN  
OF CLARKSTOWN, NEW YORK, AUTHORIZING THE  
ISSUANCE OF \$165,000 NOTES IN ANTICIPATION OF  
THE SALE OF SERIAL BONDS OF THE TOWN HERETOFORE  
AUTHORIZED TO BE ISSUED IN THE PRINCIPAL AMOUNT  
OF \$165,000.

(Adopted April 27, 1959)

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF  
ROCKLAND, NEW YORK, AS FOLLOWS:-

Section 1. Bond Anticipation Notes of the Town of Clarkstown, in the principal amount of \$165,000 are hereby authorized to be issued at one time or from time to time, as funds are required, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended, for the specific object or purpose of financing the construction of a new Town Hall on land now owned by said Town at the southeast corner of New City-Congers Road and Maple Avenue, New City, in said Town, all as more fully described in a bond and capital note resolution entitled:-

"Bond and Capital Note Resolution of the Town of Clarkstown, New York, adopted August 14, 1958, authorizing the construction of a new Town Hall on land now owned by said Town, at the southeast corner of New City-Congers Road and Maple Avenue, New City, in said Town, at the estimated maximum cost of \$175,000, appropriating said amount therefor and authorizing the issuance of \$10,000 capital notes to provide the down payment and \$165,000 serial bonds of the Town, to finance the remainder of the appropriation,"  
duly adopted by the Town Board on the date referred to therein. Said Notes are issued in anticipation of the sale of serial bonds of said Town. No bond anticipation notes have been previously issued or are outstanding in anticipation of the sale of said bonds and the Notes hereby authorized are not renewal notes. The period of maturity of the Notes hereby authorized shall not exceed one year and may be renewed pursuant to the provisions of the Local Finance Law. Said notes authorized by this resolution are not for an assessable improvement.

Section 2. Said Notes shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Notes and provision shall be made in the budgets of the Town by appropriation for the redemption of the Notes to mature in such year and for the payment of interest to be due in such year.

Section 3. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to Sec. 50.00 and Secs. 56.00 to 60.00 of said Law, the power to prescribe the terms, form and contents and as to the sale and issuance of the bond anticipation notes authorized by this resolution are hereby delegated to the Supervisor as the chief fiscal officer of the Town.

Section 4. Said Notes shall be executed in the name of the Town by the Supervisor and the corporate seal of said Town shall be affixed thereto and attested by the Town Clerk or the Deputy Town Clerk.

Section 5. This resolution shall take effect immediately.

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Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Supervisor Coyle brought to the Board's attention the matter of considering the establishment of a new district in the Zoning Ordinance to be known as an LO District, which had been given careful study.

Mr. Renken moved the following resolution:

**NOTICE OF PUBLIC HEARING ON  
AMENDMENTS OF THE ZONING  
ORDINANCE OF THE TOWN OF  
CLARKSTOWN**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Clarkstown, Rockland County, New York, at the Town Clerk's Office, 16 South Main Street, New City, New York, in said Town on the 14th day of May, 1959, at 8:00 P. M., Eastern Daylight Saving Time, relative to such proposed amendments, to consider amendments to the Zoning Ordinance of the Town of Clarkstown as follows:

**AMENDMENTS TO THE ZONING ORDINANCE OF THE TOWN OF  
CLARKSTOWN DATED SEPTEMBER 13, 1955, AND AS AMENDED.**

**Note:** additions indicated by underline, deletions by ((double parentheses)).

By amending Section 1.26 of Article 1, by adding a paragraph, following the definition of "R District," to read as follows:

Research, Experimental and Testing Laboratory. A building or buildings for experimentation in pure or applied scientific or engineering design, development of prototype machines or devices, or of new products, and processing and fabricating incidental thereto, and customary accessory uses necessary thereto; provided that materials or finished products shall

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not be manufactured, processed, fabricated or assembled on the premises primarily for wholesale or retail sale, except as a pilot operation and conducted as a corollary to such experimentation and research; further provided that no commercial servicing or repair of commercial products be performed; and further provided that there be no display of any materials or products for sale, other than models or samples directly related to such research or development.

By amending Section 2.1 of Article 2 by addition to read as follows:

\*\*\*\*\*  
 RO-1 Laboratory-Rodent District  
 LO Laboratory-Office District  
 LS Local Shopping District  
 \*\*\*\*\*

By further amending Section 2.1 of Article 2 by addition to read as follows:

The purpose of the Laboratory-Office (LO) District is to provide a highly restrictive district for a group of certain laboratory, office, or recreational uses in a park-like development; the regulations of the district are intended to ensure not only the compatibility of the district uses with each other, but with adjacent districts. It is intended that, because of its restrictive character, the LO District should be used only on request, with consideration for the effect of adjacent districts on it, and in accordance with the Comprehensive Plan for the Town.

By amending Section 2.32 of Article 2 by addition to read as follows:

If any such distance parallel to a street is not specified on the Zoning Map, it shall be deemed to be located: in RA, RA-1, RA-1(X), RO, LO, M-1, or M-2 district - 300 ft. from the street line or designated street line; in SC or C-2 districts - 250 ft. from the street line or designated street line; in R-1, R-1(X), LS, or C-1 districts - 200 ft. from the street line or designated street line; and in R-2 districts - 150 ft. from the street line or designated street line.

By amending Section 3.11 (Table of General Use Regulations) by adding in Columns 1 through 8, and following immediately the RO-1 District to read as follows:

(Column 1, Districts)

LO

(Column 2, Uses Permitted By Right)

LABORATORY OFFICE DISTRICT

1. Same as RA, except Nos. 1 and 2.
2. Golf courses, and golf or tennis clubs including facilities for conferences and meetings, and restaurants and sleeping accommodations for members, conferees and guests, whether such clubs are operated on a private membership basis, or are operated for profit on an advance reservation basis only.
3. Offices -- professional, governmental, and business.
4. Research, experimental, and testing laboratories, as defined in Sec. 1.26, and subj. to Performance Standards procedure, Sec. 4.12.

Special Requirements and Conditions (for Nos. 3 and 4):

- (a) That all areas not used for building or for accessory off-street parking shall be suitably landscaped and maintained in good condition, provided no parking or loading shall be permitted within the required front, rear and side yards.
- (b) That entrances and exits shall be so located as to draw a minimum of vehicular traffic to and through Residential Streets.
- (c) That no shipping or receiving of goods shall be carried on between 11 p.m. and 6 a.m. and that any floodlighting will be arranged so as to eliminate the glare of lights toward adjacent residential lots.

(Column 3, Uses by Special Permit)

(no Special Permit uses)

(Column 4, General Accessory Uses)

1. Accommodations for servants or caretakers and their families, subj. to Sec. 5.227.

2. Keeping of not more than 2 commercial or service vehicles, subj. to Sec. 6.1.
3. Recreational facilities, indoor and outdoor, incidental to churches and similar places of worship, or to schools.
4. Accessory parking as permitted in Sec. 6.1, 6.3, and 6.5.
5. Accessory loading as permitted in Sec. 6.2, 6.4, and 6.5.
6. Accessory residential quarters for guests of a Use Permitted by Right, provided that no public hostelry shall be construed to be permitted.
7. Storage of goods or equipment, subj. to Col. 8, No. 2.
8. Accessory water supply system, including wells.
9. Accessory sewage treatment plant.
10. Any other similar accessory use, subj. to approval of the Board of Appeals.

## (Column 5, Accessory Signs)

1. For any non-residential establishment or institution permitted also in RA, same as RA.
2. For uses permitted Col. 2, No. 2, one indirectly illuminated business sign, not over 50 sq. ft. in area, facing only toward and approximately parallel to the nearest street, and not less than 50 ft. from any lot line.
3. For uses permitted in Col. 2, Nos. 3 and 4, one indirectly illuminated business sign not over 100 sq. ft. in area, facing only toward and approximately parallel to the nearest street and not less than 100 ft. from any lot line.

## (Column 6, Off-Street Parking)

FOR:

1. Uses permitted in Col. 2, no. 1) and Col. 3, Nos. 1 and 2.)
2. Offices
3. Laboratories
4. Club

AT LEAST 1 PARKING SPACE FOR EACH:Same as RA300 sq. ft. of office floor area2 employees or 300 sq. ft. of floor area in such use, whichever is less1 accessory guest room or dwelling unit, and 1 employee, and 3 restaurant seats.

## (Column 7, Off-Street Loading Berths)

1. Same as RA
2. For uses permitted in Col. 2, No. 2, 1 berth for each 25,000 sq. ft. of floor area or fraction thereof.
3. For uses permitted in Col. 2, Nos. 3 and 4, same as RO.

## (Column 3, Additional Use Regulations)

1. Same as RA
2. All offices, laboratories, and service uses, accessory storage, and all accessory off-street loading berths shall be within completely enclosed buildings.

By amending Section 3.12 (Table of General Bulk Regulations) of Article 3, by adding in Columns 1 through 11, and following immediately the RO and RO-1 Districts, to read as follows:

## (Column 1, District)

L0

## (Column 2, Group)

V-1  
V-2

## (Column 3, Uses)

Uses Permitted in L0, which are also permitted in RA (on same line as V-1)

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All other uses permitted in L0 (on same line as V-2)  
(See Use Table, Col. 2)

(Columns 4, 5, 6, 7, 8, 9, 10, 11)

Subject to same regulations as for Group C or D (on same line as V-1)

(Column 4, Maximum Floor Area Ratio)

0.35 (on same line as V-2)

(Column 5, Minimum Lot Area)

10 acres (on same line as V-2)

(Column 6, Minimum Lot Width)

500 (on same line as V-2)

(Column 7, Required Front Yard Depth)

200 (on same line as V-2)

(Column 8, Required Side Yard Width)

100 (on same line as V-2)

(Column 9, Total Required Side Yard Width)

200 (on same line as V-2)

(Column 10, Required Rear Yard Depth)

100 (on same line as V-2)

(Column 11, Maximum Building Height)

1-1/2" (on same line as V-2)

By amending Section 4.18 of Article 4 (Performance Standards by addition to read as follows:

4.18. Measurement at Other Specified Points. The existence of the following Dangerous and Objectionable Elements shall be determined at or beyond the different locations in different districts in relation to the establishment under consideration, and these shall be measured as follows: (a) in any R district and L0, SC, LS, C-1, and C-2, 25 ft. from the principal building in any direction, or at the lot line if closer; (b) in M-1 and M-2, at the boundary of the R district nearest the establishment in any direction, provided that such measurement shall not be taken from a point located on any property owned or occupied by the applicant. (For the purpose of investigating any purported violation of Sec. 4.181, 4.182, and 4.183 as provided in Sec. 8.335, observations shall be taken on at least 3 non-consecutive days at no less than 3 points along or beyond the lines specified in (a) or (b) above. The angles between lines connecting any 2 adjacent points of measurement and the establishment shall be as nearly equal as possible. If only 3 points of measurement are used such angles shall be at least 60 degrees. When more than 3 points are used such angles may be reduced proportionately.) The limitations on these elements are as follows.

By amending Section 4.32(A) of Article 4 (Special Permit Uses) by addition to read as follows:

4.32(A). Airports and Heliports (in any District except L0): (Balance of Sec. 4.32(A) unchanged.)

By amending Section 4.32(B) (Special Permit Uses) by addition to read as follows:

4.32(B). Camps (in any District except L0): (Balance of Sec. 4.32(B) unchanged.)

By amending Section 4.32(C) (Special Permit Uses) by addition to read as follows:

4.32(C). Sand Pits, Removal of Topsoil and Landfill or Excavation Operations (in any District except L0) for a period not to exceed 5 years; (Balance of Sec. 4.32(C) unchanged.)

By amending Section 4.32(D) (Special Permit Uses) by addition to read as follows:

4.32(D). Commercial Forestry (in any District except LO) for not more than 2 years; (Balance of Sec. 4.32(D) unchanged.)

By amending Section 5.227 of Article 5 (Exceptions to Bulk Regulations) by addition to read as follows:

5.227. Accessory Buildings in Required Front Yards. Where necessary and appropriate, the Board of Appeals may authorize any one of the following, accessory to a commercial or industrial use in R0, LO, C-2, M-1, or M-2, or to an institutional use in any district: (1) one dwelling unit for a caretaker, (2) gate-house, (3) reception office, or (4) watchman's post, to encroach in a required front yard, provided such accessory building (a) is set back at least 25 ft. from the front lot line and 10 ft. from any other lot line, (b) does not cover more than 1% of the area of the lot, and (c) has a height of no more than 25 ft.

By amending Section 7.361 of Article 7 (non-conforming Use and Bulk Regulations) by addition to read as follows:

7.361. Non-Conforming Signs. In any R district or LO or SC district, any advertising sign or any other sign not of a type permitted, or of a permitted type but greater than 4 times the maximum sign area permitted, may be continued for 3 years after the effective date of this ordinance, provided that after the expiration of that period such non-conforming use shall then be terminated. However, any advertising sign in existence on the effective date of this ordinance in C-2, M-1, or M-2, and non-conforming as to sign area, may be reconstructed or replaced, provided its sign area is not increased.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Supervisor read a letter from John I. Aho of Valley Cottage, dated Apr. 23, 1959 asking that Board set two public information meetings on the proposed LO zone under consideration. The letter was placed on file.

Mr. Renken moved the following resolution:

RESOLVED, that proposed amendment to the Building Zone Ordinance of the Town of Clarkstown to include a new district to be designated "LO", as filed with the Town Clerk by the Town Attorney on April 27, 1959, be referred to the Planning Board for recommendation, and be it

FURTHER RESOLVED that the Planning Board be requested to submit such recommendation to the Town Board prior to May 14th, 1959.

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 a Special Meeting be scheduled for May 14, 1959 at 8:00 P.M., E.D.S.T., in the Town Clerk's Office.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Town Attorney Johns read a letter dated Apr. 27, 1959 from The Dells, Inc. amending several paragraphs contained in Amended Petition filed by The Dells, Inc.

on Jan. 26, 1959 to conform to recommendation of the Planning Board. The petitioner's attorney, Mr. Trachtenberg, was requested to submit a survey incorporating the changes requested.

On motion made by Mr. Danko, seconded by Mr. Jeffrey and unanimously carried the Board moved to hearing to consider 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 to include Star Estates, New City.

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

Mr. Renken moved the following resolution:

RESOLVED, that Order extending the New City-West Nyack Water Supply District to include Star Estates, New City, be signed by the Board.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Board signed the following Order;

BEFORE THE TOWN BOARD OF CLARKSTOWN

ROCKLAND COUNTY

-----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.	:
-----X	:

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 13th day of April, 1959, for the hearing of all persons interested in the matter on the 27th day of April, 1959, at 9:00 P. M. Eastern Daylight Saving 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 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.

Dated: April 27, 1959

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

Mr. Danko moved the following resolution:

RESOLVED, that application of SOL BLOOM as attorney for MARLAK CONSTRUCTION CORPORATION for a Special Permit pursuant to the provisions of Sections 4.31 and 4.32 (F) be referred to the Planning Board for report.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko moved the following resolution:

RESOLVED, that application of HILLCREST VILLAGE for a Special Permit pursuant to the provisions of Sections 4.31 and 4.32 (F) be referred to the Planning Board for report.

Seconded by Mr. Renken.

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 Karl F. Kirchner, Braden M. Lyon and Michael J. Scales for a Zoning Change from an R0 to a C-2 district on property located on the north side of Route 59, Nanuet, 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.

Chief Wiebicke reported that the nature of the intersection and the amount of traffic involved did not warrant the removal of any shrubbery at the intersection of Park Avenue and Second Street, New City.

Copy of a letter addressed to Chief Wiebicke by Patrolman John B. Westervelt, dated April 27, 1959, tendering his resignation effective as of May 16th, 1959, was read to the Board. The letter was placed on file.

Supervisor Coyle read a letter from Plastic-Craft Products Corp., 1 Station Plaza, West Nyack, dated April 24, 1959, asking that Old Route 59 from the northern extremity of Western Highway be made a two-way road in view of the fact that rail-road commuting has been eliminated.

Mr. Welchman moved the following resolution:

RESOLVED, that Old Route 59 be designated a two-way street from the northern extremity of Western Highway, West Nyack.

Seconded by Mr. Renken.

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On roll call, the vote was as follows:

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

NAYES: None.

The Town Engineer reported that a hydrant on Twin Elms Lane protects all but one house on Irion Drive, New City, in connection with investigation of proposed hydrants. He further reported that three hydrants could cover the area of Tudor Gate, West Nyack, with the exception of houses on Wheeler Place which were too far from the water main. Mr. Arbogast was requested to contact the Water Company in respect to the matter, and report further.

Mr. Renken moved the following resolution:

RESOLVED, that the Supervisor be authorized to transfer the sum of \$1,250.00 from the Contingent Fund to a Publicity Fund.

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:

RESOLUTION

ADOPTED BY THE TOWN BOARD OF THE TOWN  
OF CLARKSTOWN

APRIL 27, 1959

WHEREAS, the Town Board deems it desirable and in the public interest to establish a Publicity Fund to be expended for the purpose of commemoration of the 350th HUDSON-CHAMPLAIN ANNIVERSARY CELEBRATION, and

WHEREAS, it has been determined that the sum of ONE THOUSAND TWO-HUNDRED FIFTY and 00/100 (\$1,250.00) DOLLARS be established for such Publicity Fund, that being the sum allocated as the Town of Clarkstown's share, by the Committee, for the 350th HUDSON-CHAMPLAIN ANNIVERSARY CELEBRATION,

NOW THEREFORE, BE IT RESOLVED, that a Publicity Fund, pursuant to Section 64, paragraph 14 of the Town Law, in the sum of ONE THOUSAND TWO-HUNDRED FIFTY and 00/100 (\$1,250.00) DOLLARS is hereby established to be expended for the purpose of publicity for the commemoration of the 350th HUDSON-CHAMPLAIN ANNIVERSARY CELEBRATION, and it is

FURTHER RESOLVED, that this resolution is adopted subject to permissive referendum as provided by the Town Law.

MILDRED F. MAGAI  
TOWN CLERK  
TOWN OF CLARKSTOWN

EVERETT J. JOHNS  
TOWN ATTORNEY  
TOWN OF CLARKSTOWN  
40 Maple Avenue  
New City, New York

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:

RESOLVED, that the Supervisor be authorized to pay the sum of \$1,250.00 to the 350th Hudson-Champlain Anniversary Celebration.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None

A letter dated April 20th, 1959 from the Board of Elections, setting forth voting figures of the 1958 General Election and suggesting the splitting of districts well over 800, was read to the Board. The letter was ordered held for consideration in the Fall.

Supervisor Coyle read a letter from Burt R. Levey of Silver Birch Drive, Nanuet, calling attention to the dangers of a brook at their property and asking the Town to pipe and cover it. The matter was referred to the Town Engineer.

A discussion was had on a hazardous drainage ditch in the vicinity of Quaspeck Park. The Town Engineer was requested to determine the cost of installing pipe and a catch basin.

The Supervisor read a letter with respect to first priority locations for sidewalks.

A letter dated April 13, 1959 from Mr. J. Phillips of Nyack Public Schools requesting permission to use voting booths on May 5th, 1959, was read to the Board.

Mr. Renken moved the following resolution:

RESOLVED, that Nyack Public Schools be granted permission to use the voting booths stored in the Valley Cottage Firehouse on May 5th, 1959.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Councilman Welchman mentioned to the Board that the Nanuet Post Office had requested a change in street names, suggesting that Lexow Avenue and Park Avenue be named South Lexow Avenue and South Park Avenue south of Prospect Avenue. Mr. Welchman was requested to ask the Post Office to specify the southern terminus of the streets to be so designated. Mr. Welchman was also asked to check on the official name of a street called Highland Avenue, sometimes referred to as Old Duryea Lane, which connects with Grotke Road in Ramapo.

The Supervisor read a letter from the Nanuet Business Men's Ass'n. asking that the street running through the business section of Nanuet be named Main Street from the Four Corners to the southerly Clarkstown line. A discussion ensued with respect to the northerly portion of this road being known as North Middletown Road up to the Parkway and north of that as Little Tor Road. Mr. Welchman was asked to contact the Nanuet Post Office on the matter and report to the Board, prior to any action being taken.

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A letter from Mrs. Florence Blauvelt dated April 17, 1959, calling attention to the poor visibility at the intersection of Garret Avenue and the New-City-Congers Road, Congers, was read to the Board. Chief Wiebicke was requested to contact the owner and ask him to remove shrubbery causing the obstruction.

There was a discussion on the adoption of a stricter Building Code for the Town and each Councilman was requested to submit two names of people in the different building trades to serve on a committee to study the matter.

Supervisor Coyle read a report of the Town Engineer with respect to the Town Septic Tank Ordinance, which suggested that the Town Ordinance be done away with and that septic tank inspections be turned over to the County Health Department. A discussion followed but no action was taken.

The Highway Superintendent requested permission to advertise for a compressor.

Mr. Renken moved the following resolution:

RESOLVED, that the Highway Superintendent be authorized to advertise for bids for the furnishing of a compressor.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Danko 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 Edward F. and Joan Fitzgerald, for property located on Third St., Congers, designated as Lots 417 thru 420, Section D, "Boston Improvement Company" - Map 110, Block A, Lot 1.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

In connection with procuring easements for sidewalks, Councilman Renken reported that the Manuet School Board was holding an information meeting for residents on May 11th, 1959.

The Town Attorney told the Board that the Building Inspector had turned over to him a Report of Violation of the Zoning Ordinance by Rockland Electric Supply Co., Route 59, Manuet, by permitting property to be used as a used car sales lot, and that the condition had existed over a year.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Town Attorney be authorized to take all necessary steps to abate nuisance set forth in Report of Violation of the Zoning Ordinance by Rockland Electric Supply Company, Route 59, Manuet.

Seconded by Mr. Renken,

On roll call, the vote was as follows:

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

NAYES: None.

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The Board granted permission to the Town Engineer to hire a crane for a couple of days for use at the Clarkstown Sanitary Fill.

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

Signed,

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

PUBLIC HEARING

Town Clerk's Office

May 11th, 1959

8:30 PM

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

Supervisor Coyle called the hearing to order.

The Clerk read notice of hearing to consider the application of Flozir Realty Corp. for a Zoning Change from an R0 to an M-1 district, covering property on the south side of Route 59, Nanuet.

Harry Waitzman, Esq., attorney for the petitioner, appeared and explained that this petition was a revision of one previously made by Flozir Health Corp. which was denied. He stated that because of the proposed realignment of Route 304, he had checked with the State's District Engineer, Mr. Hummel, who assured him that no plans had been made and there was nothing with respect to the manner of or size of takings.

Mr. Waitzman stated that the new petition had provided for a 300' buffer Zone along Smith Street, Nanuet, and in the event of takings there was more than enough leeway so the State would not be affected by the change. He added that his clients wanted everything east of the buffer zone rezoned M-1 and that no change was desired for the present R-1 area.

The Town Attorney questioned the matter of access through an R-1 area and Mr. Waitzman stated there was a right-of-way of the Home Gas Company which was a natural right-of-way and which was not going to be used for anything else. Mr. Waitzman further stated he understood Route 59 was a limited access road but access, he understood, could be obtained by going through the proper channels.

Supervisor Coyle told Mr. Waitzman that it should be understood that Smith Street would not be changed from its present use.

The Town Attorney pointed out that there was a prohibition of motor vehicle trucking through Smith Street under "street classification". Mr. Waitzman then stated there was no situation involving children or anything else.

Mr. Waitzman stated there were other M-1 areas close at hand along Route 59 and that his clients had tried to provide for people with homes not having manufacturing in their backyards by the 300' buffer zone.

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

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