

7/13/59

Mr. Renken moved the following resolution:

RESOLVED, that the Town Board execute contract between the Town of Clarkstown and Town of Orangetown for Silver Birch Sewer District and Orangetown Sewer District No. 3.

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 Edward A. Huffman be re-appointed as Member of the Planning Board for a term of five years, from July 12, 1959 to July 12, 1964.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

Chief Wiebicke was asked to check on the cost of traffic lights with respect to Richards Corners, West Nyack. The Chief stated this intersection could be equipped with a 4-way red signal and that 4 STOP signs could be installed.

Supervisor Coyle asked the Chief to give consideration to traffic in and out of the Grandway parking lot at North Middletown Road, Manuet and also the New City Shopping Center.

Mr. Renken moved the following resolution:

RESOLVED, that Chief Wiebicke be authorized to attend the Police Chiefs' Convention in Rochester, New York, from July 27th to 30th, 1959, and be it

FURTHER RESOLVED, that all necessary expenses incurred in attendance be made a Town charge.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey suggested that members of the Planning Board, the Zoning Board of Appeals and the County Planning Director be invited to the special Board meeting on July 27th, 1959 in connection with proposed Amendment to the Zoning Ordinance to establish an R-22 district. The Clerk was requested to extend the invitation.

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

JULY 27, 1959

8:00 PM

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

Supervisor Coyle opened the hearing.

The Clerk read notice of hearing to consider proposed amendment to the Zoning Ordinance to the Town of Clarkstown with respect to establishing a new district to be

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designated as R-22.

The Town Attorney explained that this hearing covered technicalities omitted from the original publication, under Table of General Use Regulations, shown as R-1 all along the columns, which is proposed to be shown as R-22.

Supervisor Coyle explained for the benefit of people who had not attended the July 13th, 1959 hearing on the proposed amendment that it was to consider an intermediate zone between the 15,000 square foot or R-1 zone and the RA-1(X) or 40,000 square foot zone, which would be 22,500 square feet or designated as an R-22 zone.

Supervisor Coyle asked if anyone wished to speak in favor of the proposed amendment.

Mrs. Charlotte Menaker of 302 North Main St., New City, stated she thought it would be the solution to many problems in Town and was happy to speak in favor of it.

E. Tyson Matlack, representing the Central Clarkstown Residents' Association read a letter dated July 27, 1959 from that association, asking adoption of the proposed amendment and setting forth reasons why they felt it would result in planned and orderly growth. Letter was placed on file.

The Supervisor inquired whether anyone wished to speak in opposition to the proposed amendment.

Mr. Samuel Gunn, attorney for Abraham Metlitz appeared and stated he felt adoption of an R-22 zone would jeopardize the interests of his client, who had made application for a Special Permit about the middle of June. He stated Mr. Metlitz had owned his property over 40 years and was surrounded by development on small lots. When questioned, Mr. Gunn stated he felt no need for the establishment of an R-22 zone for Nanuet as there was very little RA-1(X) land. He was advised by the Board that the proposed amendment was being considered for the good of the whole Town and not any particular part of the Town. It was pointed out to Mr. Gunn that Mr. Metlitz's application would be given consideration at the time of its hearing and that this was a hearing to consider only the creation of a new zone. Mr. Gunn told the Board that he was opposed to the amendment as it would be a hardship on people and on builders.

Mr. Rubin Gorewitz of the Whitewood Property Owners Association read a statement from that association recommending delay in decision on the proposed amendments pending availability of more information with regard to immediate and long range effect on taxes.

Mr. Alan Anderson of South Mountain Road, New City, stated he would like to report the general feeling of the North Clarkstown Civic Association at their last meeting. He stated there was no concrete uniform decision against an R-22 zone at that time but fears were expressed that, as in the expression of the Whitewood Association's statement, that it might be easier to down-zone from one acre. Another fear expressed, he stated, was the withholding of decision on The Dells application for R-1 pending the adoption of half-acre zoning. Mr. Anderson stated they were generally in favor of the principal but the cases should be examined to see if up-zoning or down-zoning was in the interest of

orderly growth.

Supervisor Coyle stated there seemed to be some question as to whether this proposed amendment had been given enough study in view of the fact that the original Zoning Ordinance had taken so much more time to adopt. He explained that the original Ordinance adopted in 1955 covered every category and this proposed amendment covered one zone, so it stood to reason it had been given more study. He also pointed out that the proposed amendment was up-zoning rather than down-zoning in that it would require 22,500 square feet instead of the present 15,000 square foot lots. Mr. Coyle then explained the difference between a Master Plan map and Zoning Ordinance map.

Mr. Gerald Eggleston of Little Tor Road, New City, then appeared and stated that he had only heard opposition from one source at the last meeting and that was based on the need for low cost housing. He pointed out that most real estate men had more listings than houses available for sale at present. Mr. Eggleston then said that some months ago builders expressed concern because of the school situation in Clarkstown and yet when this came up they were anxious to see as many houses built as possible to control growth. He went on to say that he knew of a builder in Town who had lived here most of his life and did not find it a hardship to build on lots larger than a third acre. He stated he strongly favored adoption of the amendment as it would be a step toward control of growth of the Town.

Supervisor Coyle asked if anyone else wished to speak in favor of or in opposition to the proposed amendment.

Mr. Stanley Russell of Valley Cottage as a member of the Board of Directors of the Valley Cottage Civic Association advised the Board that his association unanimously approved adoption of the amendment proposed.

Mr. Frank Levitt of Germonds Road, New City, stated he was glad they were looking up in Clarkstown.

Mr. William Vines of Sickletown Rd., West Nyack, stated he thought the proposed amendment would be a step in the right direction in proper development. He suggested that developers be made to install sewers, curbing and sidewalks, to make a better community. Mr. Vines was told that with respect to sewers, until there was a master plan showing where sewers were to go the developers could not be asked to install them.

He was also advised that there was a study of sewerage being made.

The Supervisor asked if anyone else wished to speak in favor of or opposition to the amendment proposed or the sidelines of 20 and 30 feet for a total of 50 foot sideyards.

Mrs. Allyn Edwards of Phillips Hill Road, New City, stated she thought some effort should be made to save trees in developments where possible.

Supervisor Coyle addressed Mr. Henry Schriever, Jr. of the Town Planning Board stating his Board was the first to propose the amendment under consideration. Mr. Schriever went on record as favoring the intermediate zone thinking it could be relied upon to produce a finer type house in the Township. Mr. Theodore Huffman of the Town Planning Board stated he felt there should be more study with respect to the proposed new zone.

Mr. W. Reginald Herdman of the Zoning Board of Appeals stated his Board felt that a zone such as the one proposed would avert the sort of thing that happened in Levittown. He stated a great deal of study had gone into the matter and that each member of his Board back the Town Board in its effort to promote proper development and provide an

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attractive place in which to live.

Mr. Christopher Demos of West Nyack expressed the opinion that allowing lots of 22,500 square feet in a one acre area would be a wedge to allow more housing than originally intended.

Supervisor Coyle explained to Mr. Demos and Mr. Frank Mascola, a member of the School Board that the proposed amendment creating an R-22 zone applied to the changeable RA-1(X) zone with respect to Special Permits, and to other zones by applications for Zoning Changes or amendments.

Mr. James Honan of West Nyack stated that since there was not much objection other than from home builders he felt the proposed amendment should be adopted.

Supervisor Coyle then called on Mr. James Ward, County Planning Director, who stated there were very good reasons for the need of an R-22 zone. He made certain suggestions to the Board should the proposed amendment be adopted. The Supervisor advised that the same special findings that apply to present applications for R-1 would have to be made on applications for R-22 for property in an RA-1(X) zone.

No one else desiring to be heard in favor of or opposition to the proposed amendment, on motion made by Mr. Renken, seconded by Mr. Welchman and unanimously carried, the hearing was closed.

Signed,



Mildred F. Magai,  
Town Clerk.

SPECIAL TOWN BOARD MEETING

Town Clerk's Office

July 27, 1959

10:35 P.M.

Present: Messrs. Coyle, Renken, Danko, Jeffrey, Welchman;  
Members of the Town Board

Messrs. Henry J. Schriever, Jr., Arne Berntsen, Daniel Wakely, John Behensky;  
Members of the Planning Board.

Mr. W. Reginald Herdmann, Chairman of Zoning Board of Appeals.

Supervisor Coyle called the meeting to order.

On questioning by the Board, Messrs. Schriever, Berntsen, Wakely and Behensky of the Planning Board stated that on a personal basis they favored the adoption of proposed amendment to the Zoning Ordinance creating an R-22 zone. Mr. W. Reginald Herdmann of the Zoning Board of Appeals, spoke for Mr. John Koop and himself and stated they favored adoption of proposed amendment.

Mr. Jeffrey told the Board he thought action of the proposed amendment to the zoning ordinance to include an R-22 zone should be withheld to allow a more comprehensive study to be made by the County Planning Director and his staff.

Town Attorney Johns stated it was desirable to make two changes in the proposed amendment:- 1 - Under Column 8, Section 3.12 of Article 3 change the figure "25" to "20"; 2 - Under Column 9, Section 3.12 of Article 3 change the figure "60" to "50"; both covering sideyard requirements.

Mr. Renken moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolutions duly

adopted on the 22nd day of June, 1959, and on the 13th day of July, 1959, provided for public hearings on the 13th day of July, 1959, at 9:00 P.M., Eastern Daylight Saving Time, and on the 27th day of July, 1959, at 8:00 P. M., Eastern Daylight Saving Time, respectively, to consider the Proposed Amendments of the Zoning Ordinance of the Town of Clarkstown; and

WHEREAS, notices of said public hearings were duly published as required by law and said public hearings were duly held at the times and places specified in said notices;

NOW THEREFORE, be it

RESOLVED, that the Proposed Amendments of the Zoning Ordinance of the Town of Clarkstown be and are hereby amended, as modified, 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 2.1 of Article 2 by addition to read as follows:

\* \* \* \* \*

RA-1(X) Residential Development District ((R-1)) (R-22)

R-22 Single Family Residence District

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), R-22, RO, LO, M-1, or M-2 districts - 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 4.32(F) of Article 4 by addition and substitution to read as follows:

4.32 (F) Residences (in RA-1(X)) conforming with regulations for ((R-1)) R-22 set forth in Groups H 1, or H 2 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 Section 3.11 (Table of General Use Regulations) by adding in Column 1 through 8, and following immediately the RA-1(X) district to read as follows:

(Column 2, Uses Permitted By Right)

Single Family Residence District

22,500 sq. ft.

1. Same as RA

(Column 3, Uses by Special Permit)

1. Same as RA

2. Conversion of a single family detached residence into not more than 2 dwelling units.

3. Two family residences

(Column 4, General Accessory Uses)

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1. Same as RA, except that not more than 3 dogs over 6 months old shall be kept.

(Column 5, Accessory Signs)

1. Same as RA

(Column 5, Off Street Parking)

1. Same as RA

(Column 7, Off Street Loading Berths)

1. Same as RA

(Column 8, Additional Use Regulations)

1. Same as RA

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

(Column 1, District)

R-22

(Column 2, Group)

H 1

H 2

(Column 3, Uses)

Single Family detached residences

and uses in Group C

(on same line as H 1)

Two Family residences.

conversions to 2 dwelling units

(on same line as H 2)

(Column 4, Maximum Floor Area Ratio)

0.20 (on same line as H 1)

(Column 5, Minimum Lot Area)

22,500 (on same line as H 1)

(Column 6, Minimum Lot Width)

125 (on same line as H 1)

(Column 7, Required Front Yard Depth)

40 (on same line as H 1)

(Column 8, Required Side Yard width)

20 (on same line as H 1)

(Column 9, Total Required Side Yard width)

50 (on same line as H 1)

(Column 10, Required Rear Yard Depth)

45 (on same line as H 1)

(Column 11, Maximum Building Height)

9" (on same line as H 1)

(Column 3, Uses)

Two Family residences, conversions to  
2 dwelling Units (on same line as H 2)

(Column 4, Maximum Floor Area Ratio)

0.20 (on same line as H 2)

(Column 5, Minimum Lot Area)

15,000 per dwelling unit (on same line as H 2)

(Column 6, Minimum Lot Width)

125 (on same line as H 2)

(Column 7, Required Front Yard Depth)

40 (on same line as H 2)

(Column 8, Required Side Yard Width)

30 (on same line as H 2)

(Column 9, Total Required Side Yard Width)

75 (on same line as H 2)

(Column 10, Required Rear Yard Depth)

45 (on same line as H 2)

(Column 11, Maximum Building Height)

9" (on same line as H 2)

By amending RA-1(X) in section 3.11 (Table of General Use Regulations) of Article 3 by adding in Columns 2 through 6, and following immediately the RA-1 district to read as follows:

(Column 2, Uses Permitted by Right)

Residential Development District

((R-1)) (R-22)

1. Same as RA.

Column 3, Paragraph 2, Uses by Special Permit of Board of Appeals.)

2. Residences conforming with regulations for ((R-1)) R-22 as set forth in Groups H-1 and H-2 of Bulk Table, and as provided in Section 4.32 (F).

(Column 4, Paragraph 2, General Accessory Uses)

2. For uses permitted in Column 3, No. 2, same as ((R-1)) R-22.

(Column 5, Paragraph 2, Accessory Signs)

2. For uses permitted in Column 3, No. 2, same as ((R-1)) R-22.

(Column 6, Paragraph 2, Off Street Parking)

2. For uses permitted in Column 3, No. 2, same as ((R-1)) R-22.

Seconded by Mr. Danko.

On roll call, the vote was as follows:

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

NAYES: None.

ABSTAINING: Mr. Jeffrey.

Supervisor Coyle notified the Board that John Eberling had decided to resign his position as Motor Equipment Operator at the Clarkstown Sanitary Fill.

Mr. Renken moved the following resolution:

RESOLVED, that Francis Malone of 3 Lawnwood Place, New City, be appointed Motor Equipment Operator Grade 3 in charge of the Clarkstown Sanitary Fill, on a provisional basis, effective as of August 1, 1959, at an annual salary of \$5,000.00.

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

Signed,

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

PUBLIC HEARING

Town Clerk's Office

Aug. 10, 1959.

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 the application of Mitchell Miller for a Change of Zoning from an RA-1(X) and M-1 to an R-1 district, covering property located South of Maple Road, Valley Cottage.

Edward G. Roepe, Esq. appeared on behalf of the petitioner and described the property and its location, stating that to the east was an M-1 district bordering the West Shore Railroad, to the south an RA-1 district owned mostly by Mr. Jerome Trachtenberg who did not object to the change sought and to the west Lake DeForest and near the New York Trap Rock Corporation.

Mr. Roepe called attention to the fact that some months before another application had been referred to the Planning Board of Clarkstown, who stated they did not like the application for the reason there was not sufficient access, and to cure that his client had purchased additional property which would give direct access to Old Mill Road and that they had continued on with Carl Ann Lane.

Mr. Roepe referred to findings of the Planning Board and stated the question of school facilities had been discussed with Superintendent MacCalman of the Nyack Public Schools, inasmuch as all of the subject property except 3 small gores was in the Nyack School District, who advised their building expansion planned to meet school demands. Mr. Roepe also stated that St. Paul's Roman Catholic Church in Congers had definite plans for construction of a Parochial School at Kings Highway