

Town Clerk's Office

Sept. 14, 1959

8:30 P.M.

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

Absent: Mr. Danko.

Supervisor Coyle called the hearing to order.

The Clerk read notice of hearing to consider the application of McCafferty & Heck, Inc. for a Change of Zoning from an RA-1(X) to an R-1 district, covering property on the north side of Townline Road, Nanuet.

Edward G. Roepe, Esq. appeared as attorney for the petitioner, stating that the property in question was located on the north side of Townline Road, Nanuet and that his clients had signed a contract to purchase the property shown on the proposed tentative subdivision map from Mr. Venturini. Mr. Roepe stated both Mr. George Heck, President and Mrs. Elizabeth Heck, Vice-President and Secretary of the corporation were present. Mr. Roepe added that the contract purchase had been made several months ago and that early in June he had submitted to the Board a petition for a Special Permit Use for development on 15,000 square foot lots, the property being in an RA-1(X) district, in accordance with the then prevailing ordinance provisions. The stated the petition had been referred to the Planning Board and received a favorable recommendation. Mr. Roepe explained that before hearing was set an amendment to the Zoning Ordinance was adopted which changed regulations so that RA-1(X) could no longer be used for 15,000 square foot lot development but would require 22,500 square foot lots, and he felt his clients' case had equities, in view of this, which should appeal to the Town Board.

Mr. Roepe stated the property in question was a small piece and would not lend itself to larger size lots than 15,000 square feet and that all the surrounding area including that across Townline Road in the Town of Orangetown had been developed on lots of 11,000 square feet or less than 15,000 square feet. Mr. Roepe stated there were only 9 building lots involved.

Mr. Roepe called Mr. John C. Kluber of 2 Judith St., Nanuet, who testified as follows, after being sworn by Supervisor Coyle:

Q: Mr. Kluber, you are a duly licensed real estate broker of the State of New York in Nanuet?

A: I am.

Q: Do you pursue that profession in the County of Rockland and particularly in the Town of Clarkstown?

A: Yes.

Q: Will you tell these gentlemen where you have an office for the practice of your profession?

A: At Nyack Turnpike and Judith Street, Nanuet.

Q: How long have you been a realtor or licensed real estate broker?

A: For the past ten years in Nanuet.

Q: Will you tell these gentlemen what societies, if any, you belong to or hold membership in?

A: The Rockland County Board of Realtors, the State Association and National Association.

Q: Have you read and are you familiar with the petition of McCafferty & Heck,

Inc. and also with the proposed subdivision of the property described in that petition represented by that survey?

A: Yes. I read it.

Q: What is in the general vicinity or area of this property, which is the subject of the petition of McCafferty & Heck, Inc.?

A: There is a house immediately to the west on a 75' plot and the next westerly is on a 100' front plot.

Q: Were you able to arrive at any area of these lots as to depth?

A: These lots, I believe, are 125' deep the same as the one on the corner. Then there is a 5-family house two doors down or the third house down, and then Dr. Sarnese's house on a lot 100 X 125'. Across the road are mostly all 10,000 square foot lots on the south side of Townline Road in the Town of Orangetown.

Q: Have you looked at the Zoning map of the Town of Clarkstown, as amended?

A: Yes.

Q: And Rose Road in the vicinity of Dr. Sarnese's home is in an LS or C-1 district?

A: Blauvelt Road. Yes.

Q: Have you arrived at an opinion with respect to the merits of this application from the standpoint of a practicing realtor in Rockland County?

A: Yes.

Q: Is it your opinion it would be feasible to build on anything more substantial than 15,000 square foot lots?

A: There is no need for it. The neighborhood is on a smaller lots consistently and 15,000 square feet is plenty in my assumption.

Town Attorney Johns inquired where water and other facilities were.

Mr. Roepe then called Mr. Heck, who, when sworn by the Supervisor, testified as follows:

Q: Mr. Heck, you are the President of McCafferty & Heck, Inc., the petitioner in this proceeding?

A: I am.

Q: I ask you, are you familiar with the petition, its contents and the proposed subdivision layout?

A: I am.

Q: Have you heard the Town Attorney ask the question about water and public utilities?

A: Yes. There is water and gas on Townline Road in front of the property.

Councilman Jeffrey asked if the Orangetown Sewer District was close to the area and whether there was a possibility of tying in. Mr. Heck advised it was not feasible because of the invert elevation.

Mr. Bernard Nemeroff asked if there was an emergency state with respect to schools in this area and was advised the district was not in an emergency state. He then asked if the application had different implications than those filed after June 1959 and if schools would influence other applications in the area. He was advised that there were no other applications now pending before the Board. Mr. Nemeroff was asked if he was opposed to the granting of the application and he stated he was if it would create an emergency in schools.

The Supervisor then inquired if anyone else wished to be heard in favor of or in opposition to the granting of the Zoning Change. No one appeared.

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The Town Attorney read a letter from the Planning Board dated June 29, 1959 with respect to the petitioner's prior application, which recommended approval of the application.

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

Signed,

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

PUBLIC HEARING

Town Clerk's Office

Sept. 14, 1959

9:30 PM

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

Absent: Mr. Danko.

Supervisor Coyle opened the hearing and the Clerk read notice of hearing to consider petition for the Extension of the New City-West Nyack water Supply District to include Woodside Estates.

Edward G. Roepe, Esq. appeared on behalf of the petitioner Woodridge Estates, Inc. and stated the area sought to be included was situated off Cairnsmuir Lane and adjoining Wedgewood Estates to the south. He then introduced Mr. Ben Rabiner, President of the corporation, of 405 East 54th St., New York 22, New York, for the purpose of giving testimony.

After being sworn by Supervisor Coyle, upon being questioned by Mr. Roepe, Mr. Rabiner testified as follows:

Q: Mr. Rabiner, I show you this petition and ask if that is your signature on there as President of Woodridge Estates, Inc.?

A: Yes, it is.

Q: Are you likewise familiar with the area delineated on that subdivision map, which is Woodside Estates, and Woodridge Estates, Inc. is the developing corporation in that area?

A: Correct.

Q: Is the purpose of the petition to have hydrants put in the development roads shown on that map?

A: That is correct.

Q: Will all of the property and property owners in the area be benefited by the granting of the extension by this Town Board?

A: Yes.

Q: Are there any property owners who will be benefited by the granting of this extension whose lands are not within the description of the area?

A: No.

Q: As a builder and a man familiar with the immediate locale, is it your opinion that the granting of this petition will serve and be in the public interest?

A: Yes. It will.

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

A: It will provide adequate water for the safety and well-being of property owners in the event of a fire.

Supervisor Coyle inquired whether anyone wished to speak in favor of or opposition to the granting of the extension. No one appeared.

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

Signed,

Mildred F. Magai
Mildred F. Magai, Town Clerk

PUBLIC HEARING

Town Clerk's Office

Sept. 14, 1959

9:45 PM

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

Supervisor Coyle opened the hearing and the Clerk read notice of hearing to consider the Extension of the Nanuet Water Supply District to include Greenridge Estates.

Edward G. Roepe, Esq. appeared on behalf of the petitioner, Nanuet Construction Corp., and explained the location of the property involved was on the was on the easterly side of North Middletown Road and northerly of Nanuet Knolls. Mr. Roepe explained that some of the property was already in the Nanuet WaterSupply District and he would amend his petition to exclude that portion of the property already in the district. He then introduced Mr. Ben Rabiner, contract purchaser of the property involved, whom he stated would testify.

Upon being sworn by the Supervisor, Mr. Rabiner testified as follows; on being questioned by Mr. Roepe:

Q: Mr. Rabiner, I show you the petition with reference to Greenridge Estates and ask, do you recognize the signature appearing on that instrument and whose signature is it?

A: I do. It is that of Herbert A. Cohen.

Q: How do you happen to know the signature?

A: I was there when he signed it.

Q: Do you have some connection with respect to this property?

A: Yes. I have made a contract to purchase it.

Q: And the Herbert A. Cohen who signed this is the present owner and you are purchasing the property from him?

A: Yes.

Q: Have you made yourself familiar with the area and problem of supplying Town services in that area?

A: I have.

Q: And are you familiar with the area delineated on that subdivision map?

A: Yes.

Q: I ask you whether all of the property and property owners within the proposed extension of the water supply district, excluding, of course, that portion already in the district, will be benefited if the Town Board grants the extension.

A: Yes. They will be.

Q: Are there any property owners who will be benefited from this proposed extension not included within the limits of the proposed extension.

A: No one I know of.

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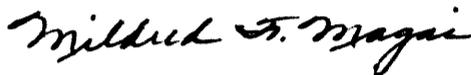
Q: Is it your opinion that the granting of the petition would be in the public interest?

A: Yes.

Supervisor Coyle inquired whether anyone present wished to be heard in favor or opposition to the granting of the extension. No one appeared.

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

Signed,



Mildred F. Magai,
Town Clerk.

TOWN BOARD MEETING

Town Clerk's Office Sept. 14, 1959 8:00 PM

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

Absent: Mr. Danko.

Supervisor Coyle called the meeting to order.

On motion made by Mr. Jeffrey, seconded by Mr. Welchman and unanimously carried, the minutes of the special meeting and hearing on July 27, 1959, the meeting and two hearings on August 10, 1959 and special meeting on August 20, 1959 were approved and accepted.

Mr. Renken moved the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown finds that Performance Standards in the Clarkstown Zoning Ordinance do not appear to have been, or will be, violated by proposed operations of Orvin Realty Corp., Nanuet, and be it

FURTHER RESOLVED that, upon recommendation of the Building Inspector, a Certificate of Occupancy be issued to Orvin Realty Corp.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mrs. Sophie Hicks appeared before the Board with a survey of a proposed road, in connection with a 280-A building permit application. Mrs. Hicks was advised to have her attorney contact the Town Attorney and discuss the matter in detail.

Mr. Renken moved the following resolution:

WHEREAS, notice has been received that Rita Keahon of Election District No. 5, Kenneth B. Rowe of Election District No. 16, Margaret Bittman of Election District No. 19 and Edna Dana of Election District No. 21 will be unable to serve as Republican Inspectors of Election for the year 1959,

BE IT RESOLVED, that the following persons be appointed to serve as Republican Inspectors of Election in the following Election Districts for the year 1959:

Election District No. 5 - Eleanor Edsall,
Nanuet Avenue,
Nanuet, N. Y.

Election District No. 16 - Florence Liebig,
Capral Lane,
New City, N. Y.

Election District No. 19 - Helen J. Hazelwood,
5 Fanley Avenue,
New City, N. Y.

Election District No. 21 - George Taylor,
Clinton Avenue,
Spring Valley, N. Y.,

and be it

FURTHER RESOLVED, that Edwin Haring of 134 Route 59A, West Nyack, New York, be appointed Custodian of Election District No. 3 to replace William Furno, who is unable to serve, and Thomas Roepe of Little Tor Road, New City, New York, be appointed Custodian of Election District No. 13 to replace Harry Oest, who is deceased.

Dated: Sept. 14, 1959.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

On motion made by Mr. Welchman, seconded by Mr. Jeffrey and unanimously carried, the Board moved to open hearing on application of McCafferty & Heck, Inc. for a Change of Zoning from an RA-1(X) to R-1, on property at the north side of Townline Rd., Nanuet.

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

Mr. Welchman moved the following resolution:

RESOLVED, that decision on application of McCafferty & Heck, Inc. for a Zoning Change from an RA-1(X) to an R-1 district on property at the north side of Townline Rd., Nanuet, be reserved.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Town Attorney Johns reported all papers in connection with proposed dedication of Dogwood Lane in Dogwood Acres subdivision were in order. The Highway Superintendent reported the road was acceptable.

Mr. Jeffrey moved the following resolution:

RESOLVED, that deed bearing date May 21, 1959 from Eric Ericson and Marie Ericson, Arthur Erikson and Winifred Erikson and Woodrow Brenner and Ruth Brenner to the Town of Clarkstown, conveying Dogwood Lane as shown on Map entitled "Map of Property to be deeded by Erikson, Brenner & Ericson for Highway purposes, to the Town of Clarkstown located near New City, N. Y., Town of Clarkstown, Rockland County" be accepted, and be it

FURTHER RESOLVED that the said road be included in the Town Highway System and that the Town Attorney be directed to record the deed.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

The Board approved as to form and sufficiency Maintenance Bond #62551 covering Dogwood Lane.

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Mr. Frank Foley appeared on connection with a 280-A building permit application, and a proposed road. He was advised to contact the Town Attorney and Town Engineer, bringing with him a deed, certificate of title, survey and performance bond.

The Town Engineer reported that he had reviewed bids of black top sidewalks and suggested that the bids be rejected.

Mr. Renken moved the following resolution:

RESOLVED, that bids submitted and opened on August 10, 1959 for the construction of black top sidewalks be rejected, and be it

FURTHER RESOLVED, that the Town Engineer be authorized to re-advertise for bids for the construction of black top sidewalks to be opened at the next Town Board meeting.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Alek Strich of the West Nyack P.T.A. appeared before the Board and requested a second traffic guard for the school at Sickletown and Green Road, West Nyack. The Chief reported there were no funds available at this time but it would be considered in the budget.

Mr. Renken moved the following resolution:

RESOLVED, that there be no parking on the north side of Route 50A, West Nyack, for a distance of 200' running easterly from Hillside Avenue, and be it

FURTHER RESOLVED that the Highway Superintendent be directed to install "No Parking" signs at this location.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Engineer reported that the drainage problem complained of by Michael Brady, 23 Carrie Lane, Nanuet, was not a Town problem and the Highway Superintendent advised he was endeavoring to contact the developer to do something to correct the condition.

Town Engineer Arbogast reported that the drainage problem complained of by Mrs. Theresa Reed of 19 Nanuet Ave., Nanuet, was not a Town problem inasmuch as there was an old water course at the location. The Clerk was requested to relay the information to Mrs. Reed.

Mr. Welchman moved the following resolution:

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

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 13th day of October, 1959, at 8:30 P. M. Eastern Daylight Saving Time, relative to such proposed amendment; and it is

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

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, JOHN LAZERATION and AINA LANTO LAZERATION have petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioners and in said petition described, from an SC and RO district to an R-2 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Office of the Town Clerk, 16 South Main Street, New City, New York, on the 13th day of October, 1959, at 9:00 P. M. Eastern Daylight Saving Time, relative to such proposed amendment; and it is

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

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

WHEREAS, ABRAHAM METLITZ has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner and in said petition described, from an RA-1(X) district to an R-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the office of the Town Clerk, 16 South Main Street, New City, New York, on the 13th day of October, 1959, at 9:30 P. M., Eastern Daylight Saving Time, relative to such proposed amendment; and it is

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

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

On motion made by Mr. Welchman, seconded by Mr. Jeffrey and unanimously carried, the Board opened hearing on petition for the Extension of the New City-West Nyack Water Supply District to include Woodside Estates.

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

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The Board signed the following Order:

BEFORE THE TOWN BOARD OF CLARKSTOWN
ROCKLAND COUNTY

-----X
 In the Matter of the Petition of :
 WOODRIDGE ESTATES, INC. (WOODSIDE :
 ESTATES) for an Extension of the New : ORDER
 City-West Nyack Water Supply District : EXTENDING
 at New City, in the Town of Clarkstown, : DISTRICT
 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 10th day of August, 1959, for the hearing of all persons interested in the matter on the 14th day of September, 1959, at 9:30 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:

ALL those certain lots, pieces or parcels of land situate, lying and being at New City, in the Town of Clarkstown, County of Rockland and State of New York, more particularly bounded and described as follows:
 BEGINNING at the Southwesterly corner of the premises herein described and the boundary line between the premises herein described and the premises now or formerly of Frances E. Jones; running thence along said boundary line (1) North $1^{\circ} 32' 50''$ West 124.10 feet; (2) still along said boundary line and lands now or formerly of John Mein North $5^{\circ} 53'$ West 322.54 feet; (3) still along said boundary line of lands now or formerly of Jones and Mein North $6^{\circ} 15' 50''$ West 428.00 feet to the northwesterly corner of premises herein described; running thence along lands now or formerly of Wedgewood Estates North $80^{\circ} 12'$ East 531.66 feet; thence still along said lands now or formerly of Wedgewood Estates North $88^{\circ} 48' 30''$ East 768.15 feet to the northeasterly corner of premises herein described; thence along lands now or formerly of Lyons South $0^{\circ} 17' 40''$ East 391.85 feet; thence still along said lands of Lyons and lands now or formerly of Youmans South $83^{\circ} 44' 10''$ West 44.10 feet; thence along said lands South $1^{\circ} 33' 20''$ East 527.50 feet to the southeasterly corner of premises herein described; thence along lands now or formerly of Gerken South $85^{\circ} 25' 40''$ West 690.95 feet; and still along said lands now or formerly of Gerken North $89^{\circ} 16' 10''$ West 490.69 feet to the point or

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place of beginning.

On motion made by Mr. Renken, seconded by Mr. Welchman and unanimously carried, the Board opened hearing on petition for the Extension of the Nanuet Water Supply District to include Greenridge Estates.

On motion made by Mr. Renken, 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
In the Matter of the Petition of :
NANUETT CONSTRUCTION CORP. (GREENRIDGE :
ESTATES) for an Extension of the Nanuet :
Water Supply District in the Town of :
Clarkstown, Rockland County, New York. :

ORDER
EXTENDING
DISTRICT

-----X
A petition in this matter for the Extension of the Nanuet Water Supply District in 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 10th day of August, 1959, for the hearing of all persons interested in the matter on the 14th day of September, 1959, at 9:45 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 Nanuet Water Supply District 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:

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

BEGINNING At a point in the easterly line of North Middletown Road at its intersection with the southerly line of Briar Place, as shown on map herein-after mentioned; running thence along the southerly line of Briar Place and the southerly line of Lot 27, shown on said map, South 83° 30' 00" East 664.02 feet; running thence North 13° 50' 00" East and along the easterly line of Lots 27, 28, 29, 30, 384.64 feet; thence South 80° 51' 20" East and along the southerly line of Lot 37, 92.07 feet; thence still along the southerly line of said Lot 37, across Birch Drive, as shown on said map, and along the southerly line of Lots 38 and 47, South 81° 37' 40" East, a distance of 404.57 feet; thence South 82° 54' 30" East along the Southerly line of Lots 48, 50, 51 and 52 and across Stuart Road, as shown on said map, and along the southerly line of Lot 60, 865.32 feet; thence along a westerly boundary of Lot 60 South 60° 26' 30" West 79.81 feet;

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thence along the southerly line of said Lot 60, South 84° 46' 05" East 161.10 feet; thence South 38° 53' 12" East and still along the boundary line of Lot 60, 89.91 feet; thence still along said boundary line South 84° 48' 12" East 35.54 feet to lands of Palisades Interstate Parkway; thence along lands of said Palisades Interstate Parkway North 9° 30' 28" East, 69.42 feet; thence still along said lands of Palisades Interstate Parkway South 85° 52' 55" East, 55.03 feet; thence still along said lands North 4° 53' 53" West 81.00 feet; thence North 84° 48' 12" West, 18.04 feet; thence North 38° 53' 12" West 477.57 feet; thence North 82° 27' 04" West 170.26 feet to the easterly line of Stuart Road as shown on said map; thence along the easterly line of said Stuart Road North 10° 34' 30" West, 52.61 feet to lands of Palisades Interstate Parkway; thence North 82° 27' 04" West, across Stuart Road and along the northerly line of Lots 59, 58, 57 and 56, 343.79 feet; thence North 0° 33' 30" West and along the easterly line of Lots 56, 55, 54 and 53, 373.50 feet; thence North 81° 04' 18" West and along and along the northerly line of Lot 53, across Victoria Drive and along the northerly line of Lots 17 to 26, both inclusive, 1212.99 feet to the easterly line of North Middletown Road; thence along the easterly line of North Middletown Road South 25° 27' 00" West 9.01 feet; thence still along the easterly line of North Middletown Road South 22° 07' 01" West, 449.54 feet; thence South 10° 09' 55" West and still along said easterly line of North Middletown Road, 22.45 feet; thence still along said easterly line of North Middletown Road, South 13° 57' 56" West, 282.64 feet; thence still along the easterly line of North Middletown Road South 20° 02' 09" West 145.23 feet; thence still along the easterly line of said North Middletown Road and across Briar Place to the Point or place of beginning.

Dated: September 14, 1959

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

Members of the Town Board

Mr. Jeffrey moved the following resolution:

RESOLVED, that revised application of Rubin Josephs for a Special Permit covering property located on the west side of North Middletown Road, New City, be submitted to the Planning Board for report pursuant to the provisions of Secs. 4.31 and 4.32 of the Zoning Ordinance.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that revised application of Harry L. Halberg for a Special Permit, covering property located on the west side of Route 304 and the east side of Palisades Interstate Parkway, be submitted to the Planning Board for report pursuant to the provisions of Sections 4.31 and 4.32 of the Zoning Ordinance.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, the applicant, MARLAK CONSTRUCTION CORPORATION has complied with all the requisite findings of Section 4.31 and 4.32 F of the Zoning Ordinance of the Town of Clarkstown,

NOW THEREFORE, be it

RESOLVED, that a Special Permit be and it hereby is granted to MARLAK CONSTRUCTION CORPORATION to build residences under R-22 requirements of the Zoning Ordinance of the Town of Clarkstown, on premises described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being in Valley Cottage, Town of Clarkstown, Rockland County, New York, more particularly described as follows:

BEGINNING at a point in the center line of Lake Road, said point being 770 feet more or less South of the center line of Mary Lane as it intersects with Lake Road; thence in a Westerly direction along the center line of Lake Road South $81^{\circ} 09'$ West a distance of 319.84 feet to a point; thence in a Southerly direction along the division line of Silverstein and Davidson South $10^{\circ} 06'$ East a distance of 426.91 feet to a point; thence in a Westerly direction along the division line of Davidson South $79^{\circ} 54'$ West a distance of 411.59 feet to a point on the division line of Davidson and Deutsch; thence in a Southerly direction along lands of Deutsch South $11^{\circ} 03'$ East a distance of 2,180.99 feet to a point on the division line of Deutsch, Dunbar and Davidson; thence along lands of Dunbar in an Easterly direction North $61^{\circ} 53' 30''$ East a distance of 223.00 feet to a point; thence still along the lands of Dunbar in an Easterly direction North $59^{\circ} 55' 30''$ East along a stone wall a distance of 490.09 feet to an iron pipe and the division line of Tolstoy Foundation and Davidson; thence in a northerly direction and along a stone wall and lands of Tolstoy Foundation North $9^{\circ} 33' 30''$ West a distance of 2,364.54 feet through a Rockland County Monument to the center line of Lake Road and the point and place of beginning.

Dated: September 14th, 1959.

TOWN BOARD OF THE TOWN OF
CLARKSTOWN

S/ John W. Coyle, Supervisor

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Renken moved the following resolution:

RESOLVED, that the time for receiving bids for the furnishing of a Hydropower Crane be closed and that the Supervisor be authorized to open the bids.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

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The following bid was submitted and opened:

John J. King,
Route 17M,
Monroe, N. Y.

1 Hydropower Crane with Mechanical Catch-Basin Cleaner, at a net price installed \$3,738.20

Mr. Renken moved the following resolution:

RESOLVED, that contract for the furnishing of one Hydropower Crane with Mechanical Catch-Basin Cleaner be awarded to John J. King, Route 17M, Monroe, N. Y., in accordance with proposal dated September 8, 1959, at a net price installed of \$3,738.20.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Edward G. Roepe, Esq. appeared before the Board on behalf of his clients Fred L. Holt, Fred A. Holt, John W. Holt and G. Stanley Winter and presented the Board with a copy of petition to the Planning Board made pursuant to the appropriate provisions of Section 277 of Town Law for reduction of the amount of their performance bond.

Mr. Welchman moved the following resolution:

RESOLVED, that Fidelity & Casualty Company Bond No. S1176273 dated September 16, 1957, showing principals as Fred L. Holt, Fred A. Holt, John W. Holt and G. Stanley Winter, in the amount of \$94,820.25, covering roads shown on "Map of Property of Tudor Gate, Subdivision of property of Fred L. Holt, West Nyack, N. Y.", be reduced to such an amount as the Planning Board shall determine.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Clerk was asked to write to the Planning Board asking that a study be made of the amendment to Town Law empowering them to acquire from developers a percentage of land in any subdivision, or a payment in money in lieu thereof, to be used for park purposes, and that they submit a report.

The Town Attorney reported he had drawn up a lease for properties adjacent to the Clarkstown Sanitary Fill, explaining its provisions to the Board. Mr. Renken was asked to check on the amount of tax on the two properties and contact Orangetown on the matter. The Town Engineer was asked to check on the area of land already filled in along Route 59 and revise the description to exclude it.

The Board's attention was called to the filing of a Notice of Claim by Adonis Perry and Edna Perry against the Town of Clarkstown.

Mr. Renken moved the following resolution:

RESOLVED, that Notice of Claim of Adonis Perry and Edna Perry versus the Town of Clarkstown be referred to the Town Attorney.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Attorney reported that notice of a 78 Proceeding by Garden Hill Estates at New City, N. Y. versus Leonard Schwall, Assessor of the Town of Clarkstown had been filed.

Mr. Welchman moved the following resolution:

RESOLVED, that the Town Attorney be authorized to defend the Assessor in the Article 78 Proceeding being brought by Garden Hill Estates against Leonard Schwall, Assessor of the Town of Clarkstown.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

Chief Wiebicke filed with the Board copies of Notices served pursuant to Article V, Section 9 of town ordinances on owners of property at the following locations:

Highway Ave. & Lake Rd., Congers, N. Y.

Garrett Ave. & New City-Congers Rd., Congers, N. Y.

Strawtown Rd. & Old Mill Rd., west Nyack, N. Y.

Chief Wiebicke reported he had contacted the management at the Grandway and New City Shopping Center and expected to have some change in the control of traffic as a result.

Chief Wiebicke stated he would check the cost of an automatic signal and have the information for the next meeting. He also stated there was need for signs on Strawtown Road reading "Stop Ahead". The matter was referred to the Highway Superintendent.

The Clerk was requested to write to the State Traffic Commission advising that the required signs had been erected in connection with extending 30 MPH speed restrictions throughout the Town and could now be inspected by them.

Chief Wiebicke filed a notice of resignation by Patrolman George Miller, effective as of August 31, 1959.

Copy of a letter from the State Traffic Commission to Chief Wiebicke dated 8/25/59 advising that a study of the requested reversal of STOP signs at the intersection of Route 59A and 304 or a flashing signal was not warranted at present, was read to the Board

Mr. Renken moved the following resolution:

RESOLVED, that the Highway Superintendent be authorized to attend the Highway Superintendents' Convention at Rochester, New York on September 23rd, 24th and 25th, and be it

FURTHER RESOLVED, that all necessary expenses incurred in attending the said convention be made a Town charge.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that members of the Town Board, Planning Board and Board of Appeals be authorized to attend the 30th Anniversary of the Regional Plan Conference at the Hotel

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Roosevelt in New York City on October 7, 1959, and be it

FURTHER RESOLVED, that all necessary expense incurred in attending the said conference be made a Town charge.

Seconded by Mr. Renken.

On roll call, the vote was as follows:

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

NAYES: None.

The Board signed Street Opening Permit issued to Silbay Realty Corp. for Third St. at the intersection of Glenside Drive, New City.

Mr. Renken moved the following resolution:

RESOLVED, that United States Guarantee Company Bond #7676450 dated June 23, 1953, principal G. Z. Realty Corp., 521 Fifth Avenue, New York, N. Y., in the amount of \$9,000.00 covering construction of Wheeler Place, as shown on "Map of Subdivision for G. Z. Realty Corp. near West Nyack, New York, dated Jan. 8, 1953", be declared in default.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Jeffrey moved the following resolution:

RESOLVED, that the Town Attorney be authorized to take the necessary legal steps to enforce the terms of United States Guarantee Company Bond #7676450, Principal G. Z. Realty Corp., dated June 23, 1953, covering construction of Wheeler Place, West Nyack, New York.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

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

NAYES: None.

The Board approved as to form and sufficiency, the following Performance Bonds transmitted with letters dated Aug. 21, 1959 from the Planning Board:

Bond #16775,
Orchard Plains-Sect. 3,
New City, N. Y.

Bond #216636,
L. Davis,
New City, N. Y.

Bond #213753,
Blenker Estates-Sect. 3,
New City, N. Y.

Bond #217245,
High Tor Estates,
New City, N. Y.

Bond #216266
Franklin Estates,
New City, N. Y.

The Highway Superintendent and Town Engineer were asked to contact the developer of Holt Hills about finishing the roads so they may be dedicated.

The Supervisor read a letter from Theodore Ginsberg, Esq., dated Sept. 8th, 1959 enclosing a Cash Performance Bond in the sum of \$7,319.00 from Tedal Building corp. as a substitute for bond of High Tor Realty and Construction Corp., covering subdivision entitled Franklin Estates.

Mr. Renken moved the following resolution:

RESOLVED, that Cash Performance Bond in the amount of \$7,319.00 from Tedal Building Corp., 8 North Main St., New City, N. Y., bearing date of September 11, 1959, covering construction within the period of one year from

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the date thereof, of roads as shown on map of property entitled "Franklin Estates, Subdivision of property of High Tor Realty and Construction Corp., Town of Clarkstown, N. Y. dated April 8, 1959", and shown thereon as West Clarkstown Road and Frank Lane, be accepted, and be it

FURTHER RESOLVED, that Continental Casualty Company Bond #216266 bearing date May 26, 1959 from High Tor Realty and Construction Corp., 8 North Main St., New City, N.Y. covering construction of West Clarkstown Road and Frank Lane as shown on map entitled "Franklin Estates, Subdivision of Property of High Tor Realty and Construction Corp., Town of Clarkstown, New York dated April 8, 1959 and revised April 24, 1959", be returned to the developer.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

A letter dated August 12, 1959 from the State Commission Against Discrimination forwarding a report entitled "In Search of Housing", describing attempts of middle-income, non-white families to find housing commensurate with their economic status was read to the Board and ordered filed.

Mr. Renken moved the following resolution:

RESOLVED, that the Clerk be authorized to execute Order for the installation of a 1,000 lu. street light on Poles No. 7, 10 and 13, on Massachusetts Avenue, Congers, and removal of the present 600 lu. street lights, at an annual increased cost of \$28.08.

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that a street light be installed on Pole #262 on Route 59, Nanuet, and be it

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

Seconded by Mr. Jeffrey.

On roll call, the vote was as follows:

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

NAYES: None.

The Town Engineer reported on proposed hydrant locations submitted by the Spring Valley Water Works & Supply Company under date of Sept. 2, 1959 and suggested a change. The Town Engineer was directed to contact the Water Company on the matter.

Supervisor Coyle stated that a sewer district had been established on August 12, 1955 for property west/s of Goebel Road. The Town Attorney was requested to contact the owner to see if he wished to continue or dissolve same.

Resignation of Mildred Gambale as secretary to the Town Attorney, to become effective as of September 30, 1959, was submitted and filed.

The Town Attorney reported to the Board that the attorney for the petitioner, Jerome Trachtenberg, had requested action on the application of Mitchell Miller for a

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Zoning Change be withheld. The Board decided to hold the matter in abeyance until the next Board meeting.

Monthly reports of the Police Department, Welfare Officer and Town Clerk for the month of August, Dog Warden and Supervisor for the month of July, Planning Board, Zoning Board of Appeals and Building Department for the months of June and July, were submitted and placed on file.

A letter dated Sept. 14, 1959 from Bernard G. Nemeroff with reference to pending action on State-owned Lands Assessments was read by Board Members and referred to the Town Attorney.

The Town Attorney distributed to Board Members copies of a proposed ordinance with respect to circuses, amusement parks, etcetera, for study and consideration.

Bernard G. Nemeroff appeared before the Board and asked that a decision be rendered on the balance of the petition for a Change of Zoning made by The Dells, Inc. by the next meeting of the Town Board, so he would know how to proceed. He stated schools had nothing to do with him or anyone else and that if decision was being held up because of the school emergency in Clarkstown Central School District No. 1, why not deny the Zoning Change and it could then be tested in the courts. Mr. Nemeroff went on to say he needed the change to R-1 to finance his existing mortgages, as banks would not lend money on certain types of zoning and will not give funds on country clubs or LO zoning. He stated he did not intend to build one house on the property but needed the change for financing and pointed out that such a change would only permit the erection of 70 additional houses on the 110 acre tract.

Mr. Nemeroff stated he had sterilized 270 acres of his property in the LO zone and could not build a house there. He was told that if he could not develop the LO portion of the property there was no reason why it could not be rezoned.

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.

SPECIAL TOWN BOARD MEETING

September 16, 1959

Supervisor's Office

10:00 P.M.

Present: Messrs. Coyle, Supervisor,
J. Welchman, Councilman,
J. Renken, "
A. Jeffrey, "

Absent: Mr. S. Danko.

Supervisor Coyle called the meeting to order.

On motion made by Mr. Welchman, seconded by Mr. Renken and unanimously carried, the second monthly Town Board meeting for the month of September was changed from September 28th to September 30th, 1959.

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.