

petitioner's remaining property is not a lawful or proper zoning purpose;

The rezoning would increase population density in a school district where the Board of Education advocates no zoning changes either now or in the future that might further overtax school facilities:

The RA-1 residential zoning regulation may not be tailored to prefer the petitioner's interests over the welfare of the community. The Zoning Ordinance cannot lawfully be lifted from 120 of petitioner's acres while at the same time it is held to be binding on identical conditions of neighboring land of the same character. Such an application destroys the comprehensive plan of the Zoning Ordinance:

The existing and foreseeable public facilities in the petitioner's area do not warrant a reduction of one acre minimum residential lots. The increase of residential homes over and above those contemplated under the present RA-1 regulations will result in an excessive burden on the present and future tax structure of Clarkstown; AND

In addition to the above reasons, uniform and stable enforcement of the comprehensive zoning plan for the orderly development of land in Clarkstown will encourage desirable commercial and industrial firms to establish in the area. Conversely, unstable administration of the Zoning plan will discourage industry.

STEPHEN DANKO, Councilman.

After remarks by Mr. Northrup, the vote was as follows:

AYES: Messrs. Frohling, Northrup, Welchman and Mundt.

Mr. Danko - Yes on IO Zone; Nay on 122 Acres to R-22.

On resolution made by Mr. Danko, seconded by Mr. Welchman, and unanimously carried, the meeting was adjourned at 11:00 P.M.

Signed,



Charles J. Blauvelt,
Town Clerk

PUBLIC HEARING

April 11, 1960

Town Hall

8:30 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Supervisor Mundt called the Hearing to order.

The Clerk read the Notice of Public Hearing on proposed amendment to Section 2, Art. XX - Sewage Disposal, of an ordinance of the Town of Clarkstown, adopted on December 18th, 1945.

Supervisor Mundt asked if anyone wished to speak in favor of or in opposition to this proposed amendment.

No one appeared.

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

Signed,



Charles J. Blauvelt,
Town Clerk

PUBLIC HEARING

Town Hall

April 11th, 1960

9:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Supervisor Mundt called the Hearing to order.

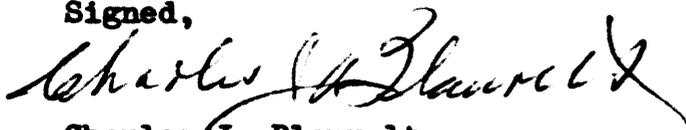
The clerk read the Notice of Hearing on Proposed Amendment to Sec. 7 - Art. XXII - Administration and Enforcement of the Zoning Ordinance, Building Code and other State or Town Ordinances, Codes and Regulations relating to Building relating to Buildings and Structures, of an Ordinance of the Town of Clarkstown adopted Dec. 18th, 1945.

Supervisor Mundt asked if anyone wished to speak in favor of or in opposition to this proposed amendment.

No one appeared.

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

Signed,


Charles J. Blauvelt,
Town Clerk

Town Board Meeting

April 11th, 1960

Town Hall

8:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

Supervisor Mundt called the meeting to order.

On motion by Mr. Northrup, seconded by Mr. Danko and unanimously carried, minutes of regular Town Board meeting of March 28, 1960, and minutes of Public Hearing of March 28, 1960, were approved and accepted.

Mr. Northrup moved the following resolution:

RESOLVED, that the Town Clerk and Supervisor send a telegram to Mr. Robert McCrate, Governor's Counsel, Albany, N. Y., opposing the "Mineral Aggregates Law," Senate Intro. No. 670, Print No. 4265, urgently and respectfully requesting he urge the Governor not to sign this Bill.

Seconded by Mr. Frohling.

On roll call the votewas as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Reports from Town Departments - Clerk was instructed to receive and file these reports.

Mr. Welchman moved the following resolution:

WHEREAS, WOODFERN CONSTRUCTION CORP. 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 LS 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 Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the

said Town of Clarkstown, on the 25th day of April, 1960, at 8:30 P.M., E.S.T., 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 in The Journal-News, a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof there of in the office of the said Clerk.

April 11th, 1960.

Seconded by Mr. Danko.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Welchman moved the following resolution:

WHEREAS, SQUADRON PROFESSIONAL BUILDING, INC. 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-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 25th day of April, 1960, at 9:00 P.M., E.S.T., 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 in The Journal-News, a paper of general circulation in the Town of Clarkstown, as aforesaid and file proof thereof in the office of the said Clerk.

Dated: April 11, 1960.

Seconded by Mr. Danko.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None

Mr. Welchman moved the following resolution:

RESOLVED, that the application of J. HERBERT DAHM AND EDNA DAHM, for a change of zoning from an RA-1 district to an R-22 district, on property located on the west side of Strawtown Road, West Nyack, New York, be referred to the Planning Board for report pursuant to the provisions of Secs. 8.51, 8.52 and 8.522 of the Building Zone Ordinance.

Seconded by Mr. Northrup.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Northrup moved the following resolution:

RESOLVED, that upon recommendation of the Highway Superintendent and the Town Engineer, deed from WOODFIELD MANOR, INC. to the Town of Clarkstown, conveying 893' of Elyse Dr., 225' of Cedarcraft La., and 501' of Schriever Lane be accepted, and be it

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

Seconded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Frohling moved the following resolution.

WHEREAS there exists in the Town of Clarkstown a need for laboratory/office and industrial rateables, and

WHEREAS the Town Board of Clarkstown is unanimous in its desire to attract desirable laboratory/office and industrial concerns which will enhance the appearance of the community, create new jobs for its people, and more equitably distribute the tax burden, and

WHEREAS additional acreage should be investigated as to suitability for laboratory/office and industrial sites, and

WHEREAS to strengthen favorable public and official climate surrounding Clarkstown's particular need for such rateables,

BE IT THEREFORE RESOLVED that the Town of Clarkstown create an Industrial Commission to work in conjunction with the Rockland County Industrial Development Board, and, be it

FURTHER RESOLVED that the membership of the Clarkstown Industrial Commission shall not exceed seven, of whom four shall be appointed by the Board's majority party, and three by its minority party.

Seconded by Mr. Welchman.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Northrup moved the following resolution:

RESOLVED, that Certificate of Title, Subordination Agreement, Pearl River Savings and Loan Assoc. to the Town of Clarkstown, dated Aug. 10, 1959, be accepted, and be it

FURTHER RESOLVED that the Town Attorney record same.

Seconded by Mr. Welchman.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Welchman moved the following resolution:

RESOLVED, that upon recommendation of the Town Engineer and the Highway Superintendent, deeds from Rauch Construction Corp. and Siru Estates, Inc. to the Town of Clarkstown, conveying 1592' of Badger St. in Colonial Acres, West Sec., 177' of Badger St. in Colonial Acres, East Sec., and 1040' of Raven Terr., Colonial Acres, West Sec., together with easement, be accepted, and be it

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

Seconded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Northrup moved the following resolution:

RESOLVED, that the request of Nyack Public Schools for use of a voting machine on May 4th, 1960 School elections at Valley Cottage School be granted, complete responsibilities for any damage or loss, also expenses of setting machine for school election be reimbursed by the Nyack Public Schools.

Seconded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

The Town Clerk was instructed to write letter to Mr. Herbert E. Cocks re Avenue B, Nanuet, N. Y., and a copy of letter received from New York State Dept. of Public Works.

Mr. Frohling moved the following resolution:

RESOLVED, that the provisions of Sec. 60.10 of Local Finance Law shall become, and are hereby made effective with respect to sale of obligations of the Town of Clarkstown.

Seconded by Mr. Danko.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Frohling moved the following resolution:

RESOLVED, that Town Clerk is hereby directed to execute Hydrant Order with Spring Valley Water Works & Supply Co. for 1 Hydrant on Roslyn Lane, New City, N. Y.

Seconded by Mr. Danko.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Northrup moved the following resolution:

RESOLVED, that Fritz Ripking be employed by the Town of Clarkstown to remove weeds and brush from abandoned cemeteries, salary not to exceed \$300.00, work to be completed by May 30th, 1960.

Seconded by Mr. Welchman.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Mr. Northrup moved the following resolution:

WHEREAS, by resolution of this Board dated March 28th, 1960 a public hearing upon a proposed amendment to Section 7 of Article XXII entitled "Administration and Enforcement of the Zoning Ordinance, Building Code and other State or Town Ordinances, Codes and Regulations Relating to Buildings and Structures," an ordinance of the Town of Clarkstown adopted December 18th, 1945, was held on

April 11th, 1960 after due publication thereof,

NOW THEREFORE, BE IT RESOLVED, that the said proposed amendment be and the same is hereby adopted and enacted effective upon publication and posting as required by law.

The amendment is as follows:

ARTICLE XXII - Administration and Enforcement of the Zoning Ordinance, Building Code and Other State or Town Ordinances, Codes and Regulations Relating to Buildings and Structures.

SECTION 7 - Building Permit Fees. Upon the filing of an application for a building permit, the following fees shall be payable:

Where the Total Valuation of the Work is:-

Up to \$1,000 \$5.00

For each additional \$1,000 or fraction
From \$1,000 to and including \$15,000 3.00

From \$15,000 to and including \$50,000 2.00

In excess of \$50,000 1.00

Sewage Disposal Permit 10.00

Certificate of Occupancy (for either
old or new construction) 2.00

Certificate of Compliance (for Multiple
Residence) 2.00

Certificate to allow use of Sewage Disposal
Facilities: No Charge

Signed Duplicate copy of any Certificate 1.00

For construction of Multiple Residence, add
to Building Permit fee for each \$1,000
of construction cost .50

For conversion into, alteration of, re-
locating, or any construction in con-
nection with existing multiple residence
or accessory buildings thereto, the fee
shall be: 5.00

Plus, for each \$1,000 of construction cost: .50

Yearly fee for places of Public Assembly:
(This fee covers quarterly inspections,
reports and certificate of Compliance to
be posted on premises). 10.00

Each additional inspection of above made
necessary by non-compliance. 5.00

(Total annual fee shall not exceed \$20.00)

BE IT FURTHER RESOLVED, that Notice of the Adoption of the Amendment be posted and published as required by law.

Letter from Nanuet Fire Co. re Drainage on Prospect Ave., Nanuet, N. Y. Letter was turned over to Town Attorney for a report on legality.

Mr. Frohling moved the following resolution:

WHEREAS, by resolution of this Board dated March 28th, 1960, a public hearing upon a proposed amendment to Section 2 of Article XX entitled "Sewage Disposal", an application of an ordinance of the Town of Clarkstown adopted December 18th, 1945, was held on April 11th, 1960 after due publication thereof,

NOW THEREFORE be it resolved that the said proposed amendment be and the same is hereby adopted and enacted effective upon publication and posting as required by law:

The amendment is as follows:

ARTICLE XX - SEWAGE DISPOSAL:

SECTION 2 - APPLICATION. No installation of any septic tank, leaching pit, pipe or other means for the disposal or discharge of trade wastes, industrial wastes, sewage, excreta, kitchen wastes, sink wastes or laundry wastes shall be begun nor shall the construction or erection of any structure intended for human occupancy be commenced, until an application duly filled out in duplicate, on forms supplied by the Building Inspector and drawings showing the intended location of the sewage disposal system proposed to be used in connection with such structure, shall have been filed with the Building Inspector and approved by the Building Inspector. A fee of \$10.00 dollars shall be paid to the Building Inspector at the time of filing the application which fee shall be paid over to the Supervisor of the Town.

BE IT FURTHER RESOLVED, that notice of the adoption of this amendment be posted and published as required by law.

April 11th, 1960.

Seconded by Mr. Welchman.

On roll call, the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Letter from Lester D. Stickles re J. L. Jacobs & Co. vs. Town of Clarkstown, & Fidelity & Deposit Co. of Maryland. Town Clerk was instructed to make copies of this letter for each Board Member.

Letter from Charlotte Jean Faivre re NewCity Cemetery. This matter was turned over to Town Attorney to evaluate the legal status.

Letter from Rockland County Council Veterans' of Foreign Wars re Parade on Loyalty Day. Car will be available for Board Members.

Quaspeck Park Aggrieved Home Owners' Assoc. had a large group at the Town Board meeting. They complained about building defects which the builders, Mr. Eugene Blumenthal & Philip Shapiro, failed to remedy. The two major defects were constant water in basements and leaking roofs.

They charged that Building Inspector's Office was negligent in its inspection of homes. They stated buildings were approved contrary to New York State Construction Code. Mr. Karl Schumacher stated specifications required by law were met. Mr. Schumacher got into a lively discussion with Mr. Edward Brady, Mr. Oatley, Mr. Zenlanghi, Mr. McKeever and Mrs. Warshaw.

The Board also agreed to send Chief of Police Ernest Wiebicke, Bldg. Insp. Karl Schumacher, and Town Engineer Edw. P. Arbogast to Quaspeck Park to investigate another complaint of the Association relative to dead trees and open ditches which are a fire hazard and very hazardous condition.

They requested copy of Specifications from Building Inspector. Mr. Schumacher said no specifications only building plans were furnished his office.

Letter from Rockland County Home Builders re Highway Spec. order held for a future meeting.

Letter from Nyack Public School re Mr. Melozzo about stream of water on Dickinson ave., Central Nyack. Letter turned over to Town Attorney for a report on

legal aspects.

Mr. Welchman moved the following resolution:

SecOnded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.

NAYES: None.

Town Clerk was instructed to write letter to Mr. Samuel G. Fisher, New City, N. Y., requesting him to attend a special meeting of Town Board in Town Hall at 7:00 P.M., April 25th, 1960.

Letter received from Mr. Martin Bernstein re Building Code, ordered held for future use.

Report from Mr. George M. Schofield, Chairman of the Clarkstown Building Code Committee. Town Clerk was instructed to write letter to Mr. Schofield thanking him and his committee for the splendid job of the Committee.

Mr. Welchman moved the following resolution:

WHEREAS, MAK DEVELOPMENT CORPORATION has applied for Special Permit to Sec. 4.31 and 4.32F of the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, a public hearing was duly held on February 15th, at 10:00 P.M. at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Ave., New City, New York on said application, and

WHEREAS the Town Board of the Town of Clarkstown has duly made the afore-said findings of fact pursuant to said Ordinance, and

WHEREAS, the applicant consented that only a portion of its property as described in the original petition be considered by reason of withdrawing the original description and submitting the following description:

ALL that certain lot, piece or parcel of land, situate, lying and being in the Hamlet of New City, Town of Clarkstown, County of Rockland and State of New York, bounded and described as follows:

BEGINNING ata point in the existing boundary line between lands zoned "R-1" and lands zoned "RA-1(X)", as shown on the Zoning Map of the Town of Clarkstown, situate 200.01 feet easterly, measured along a course of South 75° 24' East, from a point in the easterly line of Main Street (also known as New York State Highway Route 304), which said point in the easterly line of Main St. is situate 182.90 feet northerly, measured along said easterly line of Main Street from the northwesterly corner of lands formerly of Popik, and running thence (1) NORTH 14° 01' 40" East, along a line 200 feet distant from and parallel to the easterly line of Main Street, being also the boundary line between lands zoned "R-1" and lands zoned (RA-1(X)", a distance of 1070.44 feet to a point; thence (2) North 13° 56' 35" East, still along the same, a distance of 486.60 feet to a point; thence (3) South 76° 03' 25" East, a distance of 1143.46 feet to a point; thence (4) South 17° 36' 26" West, a distance of 1661.95 feet to a point; thence (5)

North 75° 24' West, along the existing boundary line between lands zoned "R-1" and lands zoned "RA-1(X)", a distance of 1040.54 feet to the point or place of beginning. Containing 41.41 acres, more or less.

EXCEPTING THEREFROM the following described premises:

BEGINNING at a point in the existing boundary line between lands zoned "R-1" and lands zoned "RA-1(X)", as shown on the Zoning Map of the Town of Clarkstown, situate 632 feet $\frac{1}{2}$ easterly measured along a course of south 75° 24' East from a point in the easterly line of Main St. (also known as New York State Highway Route 304), which said point in the easterly line of Main Street is situate 182.90 feet northerly, measured along said easterly line of Main Street from the northwesterly corner of lands formerly of Popik, said point of beginning being intended to be the point where the aforesaid mutual boundary line between lands zoned "R-1" and lands zoned "RA-1(X)" is intersected by the westerly line of the right-of-way of the proposed New York State Highway Route 304, and running along the westerly line of said right-of-way of the proposed New York State Highway Route 304 the following courses and distances: (1) North 25° 40' East 315 feet plus-minus; (2) North 28° 45' East 200 feet plus-minus; (3) North 36° 15' East 310 feet plus-minus; (4) North 36° 00' East, 205 feet plus-minus; (5) North 45° 00' East, 580 feet plus-minus; thence (6) South 17° 36' 20" West along the northerly line of the premises described above, a distance of 340 feet plus-minus to a point in the easterly line of the right-of-way of the proposed New York State Highway Route 304; thence (7) along the easterly line of the right-of-way of the proposed New York State Highway Route 304, the following courses and distances: (8) South 43° 30' West, 475 feet plus-minus; (9) South 38° 00' West 200 feet plus minus; (10) South 32° 30' West 505 feet plus-minus; (11) South 19° 30' West 185 feet plus-minus; (12) South 23° 15' West 80 feet plus-minus to a point in the aforesaid mutual boundary line; thence (13) North 75° 24' West, along the aforesaid mutual boundary line, being also the southerly line of the premises above described, a distance of 125 feet plus-minus to the point or place of beginning.

The premises above excepted being intended to include the lands lying in the right-of-way proposed to be taken by the State of New York for the proposed new Route 304.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown does hereby approve the application of MAK DEVELOPMENT CORPORATION as amended for a Special Permit pursuant to Sec. 4.31 and 4.32F of the Zoning Ordinance of the Town of Clarkstown.

Dated: April 11, 1960

TOWN BOARD OF THE TOWN OF CLARKSTOWN

A/ PAUL F. MUNDT
SUPERVISOR

Seconded by Mr. Frohling.

On roll call the vote was as follows:

AYES: Messrs. Frohling, Northrup, Welchman, Mundt.

NAYES: None.

ABSTENTION: Mr. Danko.

511 124

Letter from Board of Fire Commissioners of Nanuet Fire Dist. re Fire Hydrant now located at intersection of Rose R. and new Route 59 is of no value to the Fire Co. at this location. Second Hydrant, located on Frederick St., when installed, was temporarily located. The Board would like both hydrants moved to locations that are designated by the Nanuet Fire Chief. Town Clerk was instructed to write letter to Spring Valley Water Supply Co. forwarding above requests.

On resolution made by Mr. Welchman, seconded by Mr. Northrup, and unanimously adopted, meeting was adjourned at 12:15 A.M.

Signed,



Charles J. Blauvelt,
Town Clerk

PUBLIC HEARING

Town Hall

April 18th, 1960

7:30 P.M.

Present: Mr. Mundt, Mr. Frohling, Mr. Danko, Mr. Welchman, Mr. Northrup.

Town Attorney Clifford J. Freund,
Town Clerk Charles J. Blauvelt.

Re: Edward Friedman Zoning Change Application.

Mr. Mundt opened the Hearing at 7:30 P.M.

The Town Clerk read legal advertisement of meeting.

Mr. Edward Roepe, Attorney for the petitioner explained the petition in detail containing 36 acres on south side of Lake Road, Valley Cottage, New York.

Mr. Gus Zakarakis sworn by Mr. Mundt, he is an associate of the petitioner, who will be the developer with Mr. Friedman. Mr. Gus Zakarakis testified that 5 acres is now zoned SC and balance of property is in RA-1 zone. Property front on Lake Road for about 400 feet, balance of property in the rear of SC zone. He stated that under present zoning, they could build about 42 homes; after zoning change, about 52 homes, about \$22,000.00 or \$23,000.00 each. Property lies in Nyack Public School Dist., Valley Cottage Section.

Water facilities runs past this property. Valley Cottage is well able to assume this growth.

Mr. Mundt read recommendations of Planning Board. Developers claim it will be a 3-year project to develop this plot. Mr. William McCarthy of Lake Road, Valley Cottage, spoke in favor of same. Those opposed - none.

On resolution moved by Mr. Frohling, seconded by Mr. Danko, and unanimously carried, hearing was closed at 8:00 P.M. - Decision reserved.

Yours very truly,



Charles J. Blauvelt,
Town Clerk