

Town Hall

TOWN BOARD MEETING
3/12/62

7:30 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Atty. Mr. Freund
Dep. Town Atty. Mr. Walber

Supervisor Mundt called meeting to order at 7:30 P.M.

Town Board accepted minutes of 7 Public Hearings and Regular Town Board Meeting held on Feb. 26, 1962. Mr. Welchman abstained because of his absence at said meeting.

Mr. Northrup moved the following resolution:

RESOLVED, that the application of SAIN BUILDERS, INC. for a change of zone from an R-1 dist. to a C-1 dist. on property located on New Hempstead Rd., New City, be referred to the Planning Board for report pursuant to the prov. of Secs. 8/51, 8/52 and 8.522 of the Clarkstown Bldg. Zone Ord., and also the Rockland County Planning Bd. pursuant to Secs. 239L and 239M of the General Municipal Law.

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

Mr. Frohling moved the following resolution:

RESOLVED, that the application of SAIN BUILDERS, INC. for a change of zone from an R-1 dist. to an R-2 dist. on property located on Eberling Drive, New City, be referred to the Clarkstown Planning Bd. for report pursuant to the provisions of 8.51, 8.52 and 8.555 of the Clarkstown Bldg. Zone Ord. and also to the Rockland Co. Planning Bd. pursuant to Secs. 239L and 239M of the General Municipal Law.

Seconded by Mr. Danko.

All voted yes.

Town Board signed Order setting date of Public Hearing re Extension of New City-West Nyack Water Supp. Dist. to include portion of Congers Rd., and Demarest Hills subdiv. for 4/9/62 - 8:15 P.M.

PRESENT: Paul F. Mundt, Supervisor
Joseph Welchman, Councilman
Stephen Danko, Councilman
Jay D. Northrup, Councilman
Philip J. Frohling, Jr., Condemner

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, N.Y. held at the Meeting Room of the Town Hall at 10 Maple Ave., New City, in said Town of Clarkstown, on the 12th day of March, 1962.

In the Matter of Petition for an Extension of the New City-West Nyack Water Supply Dist. to include Portion of Congers Rd. and Demarest Hills subdivision, New City in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition, dated Dec. 19, 1961, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for and Extension of the New City-West Nyack Water Supply District to include portion of Congers Road and Demarest Hills Subdivision, New City in the said Town, to be bounded and described as follows:

(SEE DESCRIPTION IN FOLDER)

Ordered, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 9th day of April 1962, at 8:15 P.M., ES Time, to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Dated: March 12, 1962

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Mr. Welchman moved the following resolution:

WHEREAS, Bonniwell Homes Subdiv. requested that a restrictive covenant signed on Aug. 5, 1961, and filed in the Office of the Clerk of the County of Rockland on Aug. 17, 1961, be dispensed with, in view of the fact that Bonniwell Homes were delayed for a lengthy period of time due to the requirements of the Planning Board and failure on the part of the Town to accept stubs of roads shown on former plats, be it

RESOLVED, that Bonniwell Homes be relieved from the requirements of the said restrictive covenants so that they may proceed to complete building on all land described in said restrictive covenant.

Seconded by Mr. Frohling.

All voted yes.

Statement was read by Councilman Danko re Planning Board Meetings.

After discussion by Board, the following was adopted:

Mr. Frohling moved the following resolution:

RESOLVED, that the Planning Board of the Town of Clarkstown release its decisions to the Press immediately upon arriving at same, in connection with matters referred by the Town Board under Sec. 8.51 of the Building Zone Ordinance of the Town of Clarkstown.

Seconded by Mr. Welchman

On roll call the vote was as follows:

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

ABSTENTION: Mr. Danko

Mr. Frohling moved the following resolution:

RESOLVED, that time period for receiving bids for Clarkstown Sanitary Fill be closed, and bids be opened.

Seconded by Mr. Danko

All voted yes.

The following bids were received:

W. Gagnon Company
37 W. Washington Ave.
Pearl River, N.Y.....\$.94 Per Yd.

Eric Binder Excavating Co.
South Pascack Rd
Manuet, N.Y.....\$ 1.10 Per Yd.

Mr. Danko moved the following resolution:

RESOLVED, that bid for Sanitary fill from W. Gagnon Co., 37 W. Washington Ave., Pearl River, N.Y. in the amount of \$.94 per yd. be accepted, pending approval of the Town Engineer.

Seconded by Mr. Welchman.

All voted yes.

Mrs. Leach, Mr. James Damiani and Dr. Grosch appeared before the Board and presented Recreation Comm. program. After discussion, at which the point was made that development of the program would be contingent on place to house and availability of school facilities, it was suggested that Board members again avail themselves of the opportunity to attend the next scheduled meeting of the Commission, which will be held at 8:00 P.M., Thursday, at the Town Hall. Mr. Mundt stated that he would attend for futher discaussion.

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Re realignment of Rt. 304, Mr. Mundt notified Board that on discussion with Mr. Sinacori, there would be a delay of 3 to 4 months.

Representatives of Automatic Voting Machine did not appear. In a letter received, he stated that the pooling of bids would realize savings. He will let Board know if he can attend the next meeting of the Town Board.

Mr. Frohling moved the following resolution:

RESOLVED, that the Town Clerk be authorized to advertise for bids on the purchase of five 1962 model automobiles for police use with four police cars to be accepted in trade, such bids to be received no later than 3/26/62, 8:15 P.M.

Seconded by Mr. Welchman

All voted yes.

Mr. Northrup moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has disestablished the Gregory Heights Light Dist., now, therefore, be it

RESOLVED, that each taxpayer who on proper application be granted the refund of his 1961 Gregory Heights Light Dist. Tax, and the Supervisor is hereby authorized to refund the tax.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

WHEREAS, there was an overpayment of taxes among the 17 plots in Sewer Dist. #4 (SILVER BIRCH) in the amount of \$500, now, therefore, be it

RESOLVED, that each taxpayer who so applies for a refund to the Assessor be granted a refund of \$29.41 and the Supervisor is hereby authorized to refund said amount.

Seconded by Mr. Frohling.

All voted yes.

Town Department Report for the month of February 1962 were submitted to Board and ordered filed in the Town Clerk's Office.

Mr. Seeger of the Highway Dept. appeared before Board re Traffic on Orchard St. It was suggested that he discuss problem with Mr. Nelson Hall and Chief Wiebicke to see if commercial traffic could be eliminated.

Mr. Danko moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 5th day of February 1962, provided for a public hearing on the 12th day of March, 1962, at 8:30 P.M. EST relative to amending the Building Zone 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 notice;

NOW THEREFORE BE IT RESOLVED, that the proposed amendments of the Zoning Ordinance of the Town of Clarkstown be amended as follows:

ARTICLE IV, Section 4.32(F)

"4.32(F). Residences (In RA-1(X) conforming with regulations for R-1 set forth in Groups I, J, 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 45 days of receipt of the Town Board's request for a report."

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ARTICLE VIII, Section 8.51

"8.51. Proposed Amendments referred to Planning Board. The Town Board may, from time to time, on its own motion or on petition or on recommendation of the Planning Board, after public notice (as specified in Section 8.53) and hearing amend, supplement, modify or repeal this ordinance pursuant to provisions of the Town Law. Any proposed amendment may be referred to the Planning Board, which shall submit a written report to the Town Board, prior to public hearing thereon by the Town Board. The Planning Board shall make such report within 45 days after receiving notice from the Town Clerk. The Planning Board's failure to make such report within such period shall be deemed to be a favorable report."

Seconded by Mr. Welchman.

All voted yes.

Mr. Eric Sundberg appeared before Board re adoption of Code of Ethics and Conflict of Interest. Town Clerk was instructed to make copies of suggested resolution and other informative material concerning same, and forward to Board Members for their study.

Mr. Martin Bernstein of the New City Civic Assn. also appeared before Board recommending that the Clarkstown Town Board declare a moratorium on downzoning residential land for at least six months to enable representatives of the various governmental agencies, school boards and the public-at-large to meet and develop a master plan for the Town of Clarkstown.

Town Board signed Order extending New City-West Nyack Water Supply Dist. at New City to include the Plains.

In the Matter of the petition of The Plains, for an Extension of the New City-West Nyack Water Supply District at New City, in the Town of Clarkstown, Rockland County, New York

ORDER EXTENDING DISTRICT

A petition in this matter for the extension of the New City-West Nyack Water Supply District of the Town of Clarkstown, excluding any portion already in an existing district, having been duly presented to the Town Board, and an order having been duly adopted by the Town Board on the 5th day of Feb., 1962, for the hearing of all persons interested in the matter on the 12th day of March, 1962, at 8:15 P.M. EST, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, N.Y. and a hearing by the said Board having been 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, and that all property and property owners benefited were included within the limits of the proposed district, and that it was in the 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.

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S/ Paul F. Mundt, Supervisor
 S/ Joseph Welchman, Councilman
 S/ Stephen Danko, Councilman
 S/ Jay D. Northrup, Councilman
 S/ Philip J. Frohling, Jr., Councilman

Mr. Welchman moved the following resolution:

RESOLVED, that Harry Crowe be authorized to purchase defoaming equipment from Thomas Henry Electric Co; West Nyack, N.Y. cost not to exceed \$647.00.

Seconded by Mr. Northrup.

All voted yes.

Discussion was had re junk yards. Mr. Mundt suggested that the Bldg. Insp. and Councilman Danko bring in a report re junk yards for the next meeting of the Town Bd.

On resolution by Councilman Frohling, seconded by Councilman Danko and unanimously carried, Town Board meeting was adjourned.

Signed,


 Anne E. O'Connor
 Town Clerk

PUBLIC HEARING

Town Hall

3/12/62

8:15 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
 Town Attorney Clifford J. Freund
 Dep. Town Atty. Mr. Walber.

RE: EXT. OF NEW CITY-WEST NYACK WATER SUPPLY DIST. TO INCLUDE THE PLAINS

Mr. Mundt called Public Hearing to order.

Town Clerk read notice of Public Hearing.

Mr. Edward G. Roepe appeared as attorney for petition and explained petition to Board.

Mr. Rauch appeared as a witness, and was sworn in by Mr. Mundt. He testified as follows:

Q: Are you an officer of the Rauch Realty Corp?

A: Yes.

Q: Is that corporation one of the petitioners in the petition before the Board?

A: Yes.

Q: Are you familiar with the allegations contained in this petition?

A: Yes.

This area lies between south of Third St. and north of Laurel Rd in New City.

Q: Are you familiar with the Schedule A which is attached hereto, which shows boundary of proposed extension?

A: Yes.

Q: Are all of the property and all of the property owners within the proposed district benefited from the extension of this district?

A: Yes.

Q: Are any property or property owners benefited, who are not included in the district?

A: No.

Q: Is it in the public interest that Town Board grant this request for an extension of existing water supply district?

A: Yes.

Mr. Mundt asked if there were any other witnesses. There were none.

Anyone in favor? No one appeared.

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Anyone against? No one appeared.

On motion by Mr. Danko, seconded by Mr. Frohling, and unanimously adopted, Public Hearing was adjourned.

Signed,

Anne E. O'Connor
Anne E. O'Connor, Town Clerk

Town Hall

PUBLIC HEARING
3/12/62

8:30 P.M.

Present: Messrs. Frohling, Danko, Welchman, Northrup, Mundt.
Town Attorney Mr. Freund
Dep. Town Atty. Mr. Walber

RE: AMENDMENT TO BUILDING ZONE ORDINANCE (Par. 1 of Sec. 4.32(f) of Art. 4
(30 to 45 days)

Mr. Mundt called Public Hearing to order.

Town Clerk read notice of Public Hearing.

Mr. Clifford J. Freund explained proposed amendment to Town Board. He stated the following:

The reason for such proposed amendment is to give the Town Board more time so that they can work in conjunction with County Planning Board.

The ordinary petition that the Town Board sends down for referral will be handled the same way.

It would facilitate the two Boards working together.

Anyone in favor? No one appeared.

Anyone against? No one appeared.

On motion by Mr. Danko, seconded by Mr. Frohling and unanimously adopted, Public Hearing was adjourned.

Signed,

Anne E. O'Connor
Anne E. O'Connor
Town Clerk

Town Hall

PUBLIC HEARING
3/12/62

8:45 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Atty. Mr. Freund
Dep. Town Atty. Mr. Walber

RE: SPECIAL PERMIT APPLICATION - ELKIN HOMES, INC. W/side Congers Rd., New City
RA-1(X) to R-22

Mr. Mundt called Public Hearing to order.

Town Clerk read notice of Public Hearing.

Mr. Theodore Ginsburg appeared as attorney for petitioner, and explained position to Board.

Change was requested for a 23-acre site to permit construction of 32 homes.

Mr. Abe Ellis, 506 E. 8th St., Brooklyn, N.Y. appeared to testify and was sworn in by Mr. Mundt.

He testified as follows:

Q: I show you a petition dated Jan. 8, 1962. Did you sign as contractor purchaser?
A: Yes.

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Q: Are you familiar with all facts and annexed papers thereto, particularly description of plans and survey of the property?

A: Yes.

Q: How long have you been in and around Rockland County in the building industry?

A: About 3 years.

Q: Are you familiar with area in question?

A: Yes.

Q: What is the zoning of the property now?

A: RA-1(X)

Q: Approximately how many acres are involved?

A: 23+ acres.

Mr. Ginsburg presented a letter to Board from Spring Valley Water Works & Supply Co. relaying information that there are existing water mains located in close proximity to this proposed subdivision.

Mr. Mundt inquired as to how many homes are planned. The answer was approximately 32-33 homes.

Mr. Ginsburg was asked if he would accept restrictive covenant. He answered yes; that it was to be a two-year project.

On further questioning from Board, Mr. Ellis stated that they would have means of egress and ingress through Pride's Crossing of Demarest Hills Dev.

Re: Waste Disposal - Private scavengers.

In answer to questions by Mr. Ginsburg, Mr. Ellis stated that proposed use would be appropriately located with respect to Transportation, Water Supply, Waste Disposal, Fire Protection, Police Protection and other public facilities.

He further testified that proposed change would not cause undue traffic congestion or create traffic hazard, would not adversely affect the character of the area, property values in the area, or health, safety, welfare or morals.

Mr. Frohling asked if he would file petition for fire hydrant and water. The answer was yes.

Mr. Mundt asked if anyone wished to appear as being in favor of proposed request for special permit. No one appeared.

In answer as to whether anyone wished to appear as being against such application, the following persons appeared:

Mr. Robert Stull, 9 Longmeadow Drive, New City, N.Y.

He questioned value of homes to be built, accessibility of egress and ingress, septic tank problem and drainage problem which would be created.

Also appearing as being against such petition were the following:

Mr. Robt. W. Reardon, 4 Pride's Crossing, New City

Mr. Richard Weishaar, 12 Pride's Crossing " (Downsizing will affect property values. Traffic on Pride's Crossing will increase.)

Mr. Moody: They would have no way of getting in or out of Pride's Crossing.

In rebuttal, Mr. Ginsburg stated the following:

In reference to Mr. Moody's remarks, we will be able to get access to property. We will create our own access off Congers Road in through development.

Mr. Mundt read letter from Clarkstown Planning Board approving such petition.

On motion by Mr. Frohling, seconded by Mr. Danko and unanimously adopted, Public Hearing was adjourned. Board reserved decision.

Signed, *Anne E. O'Connor*
Anne E. O'Connor, Town Clerk

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Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Atty. Mr. Freund
Dept. Town Atty. Mr. Walber

RE: CHANGE OF ZONE APPLICATION OF SHERMARC DEV. CORP. - (R-1 to R-2)

Mr. Mundt called Public Hearing to order.

Town Clerk read notice of Public Hearing.

Town Attorney Clifford J. Freund disqualified himself as being against petition, and left Board Room.

Mr. Robert Granik appeared as attorney for petitioner and explained petition to Board.

Change is requested for 3.5 acre site on South Middletown Road, Nanuet, for 43 unit Garden Apt. Mr. Granik presented Exhibits. He stated that should Dept. of Health determine that property cannot be used for septic disposal system, they will build only so many units as the Dept. of Health would consider safe, or, if none are safe, they will agree, by restrictive covenant, to build none until there is a county sewer system, or a sewer system that will service this area.

Mr. Mundt asked if there were any further witnesses. No one appeared.

Anyone in favor? No one appeared.

Anyone against? The following appeared.

Mr. Monroe Mayer representing the Brentwood Civic Assoc. He presented signed petition against proposed zoning change.

Also appearing as being against were:

Mr. Robert A. Frosch, 51 Highview Ave., Nanuet.

Mr. James J. McCabe, 3 Birchwood Terr.

Mr. Gene Spagnoli, 29 Highview Ave.

In rebuttal, Mr. Granik stated the following:

1. There would be a \$10,000 difference in ratables.
2. Restrictive covenant will be adhered to. Drainage and health will have to conform with requirements. Drainage will be less with apartments, than from six single family dwellings.
3. As for prematurity of application, have to ask for change now. He suggested that if Board wishes, they can set time for such approval of building these apts.

Mr. Mundt read letter from Clarkstown Planning Bd. disapproving such zoning change.

On motion by Mr. Northrup, seconded by Mr. Frohling and unanimously adopted, Public Hearing was adjourned. Board reserved decision.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

3/12/62

9:30 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Atty. Mr. Freund
Dep. Town Atty. Mr. Walber

BENEDICT A. CAIOLA

Mr. Mundt called Public Hearing to order.

Town Clerk read Notice of Public Hearing.

Mr. Everett Johns appeared as atty. for petitioner and explained petition to Board. Change is requested from R-1 to R-2 for prop. set at intersection of Pascack Rd. and Old Nyack Tpk. Consists of 9.46 acres. He submitted 2 aerial surveys showing relationship to Old Nyack Tpk. and Thruway access rd.

Directly across street R-0. Easterly zoned R-0. Directly across street property owned by N.Y.S. Thruway. Access roads would indicate people coming in a westerly direction would enter by means of an access before they reach this property, and coming in an easterly direction there is an access road leading to Thruway directly across from this property.

Mr. Benedict A. Caiola, 849 St. Ann's Ave., Bronx, NY was sworn in as a witness by Mr. Mundt and testified as follows:

Q: What is your occupation?

A: Attorney at law.

Q: I refer you to survey in Ex. A. Is that the property in question?

A: Yes.

Q: Is land area shown suitable for development to present R-1 zoning?

A: No. The location of this property is at the intersection of two major highways, making it unsuitable for residential purposes.

Q: Would you agree that proximity of access road of the N.Y.S. Thruway and to Spring Valley would also have effect on your building on this prop. under the present zone?

A: Yes.

Q: Would you describe to Board the proposal for the erection of Garden Apts?
(Mr. Johns presented site layout to the Board)

Approx. 150 garden units on site. Intend to have ingress and egress. Intend to build Sewer Plant to be approved by State and County Health Dept. This would be maintained as part of operation of 150 units. Units are of two-story nature, which is in requirements of R-2. Approx. cost of project 2 million dollars. If pond area not acceptable, area would be for parking or playground. Pond would have to be checked out by Board of Health. They would be agreeable to take restrictive covenant limiting number of units to 150. Rental values approx. \$39.00 per room. Building to be done in sections, as financing is agreed upon.

Mr. John W. Coyle appeared and was sworn in as a witness representing Rockland Appraisals, Inc., 30 S. Main St., New City, N.Y. He testified as follows:

This area would lend itself very well to Garden Type apts. The construction of sewage disposal plant in this area should be very adequate and since stream is there, no question of run-off being taken care of.

Proposed use will enhance neighborhood and be better than construction of private homes on this particular low land.

On questioning by the Board, they were informed that Sewer Plant would take care of sewage. They plan to build about 55 units in first section.

Mr. Mundt asked if anyone else wished to appear as being in favor. Mr. Fred Horn, Realtor, Manuet, NY, appeared, stating in part that there would be a favorable tax angle.

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Letters were read from County Planning Board disapproving such change, and from Clarkstown Planning Board approving.

Mr. Mundt asked if anyone wished to appear as being against petition. No one appeared.

On resolution by Mr. Danko, seconded by Mr. Northrup and unanimously adopted. Public Hearing was adjourned.

Board reserved decision.

Signed,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING - 3/12/62

Town Hall

9:45 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Att. Mr. Freund
Dep. Town Atty. Mr. Walber

RE: ZONING APPLICATION OF PATRICIA ANN HOMES, INC. (New Hempstead Rd., New City, NY.
(RA-1 to R-22))

Mr. Mundt called Public Hearing to order.

Town Clerk read notice of Public Hearing.

Mr. Everett Johns appeared as atty. for petitioner and explained petition to Board as follows:

This particular piece of property consists of 48.5 acres and is bound on the south by New Hempstead Rd. and on the west by Phillips Hill Rd. He presented aerial view of property in question which showed property showing front on Phillips Hill Rd. and New Hempstead Rd. and proximity on southerly side of New Hempstead Rd. with Colonial Acres Subdivision.

This particular piece of property was known as the portion of the Loveland Farm formerly owned by Dante Alexander.

These lots are built upon.

Mr. Mundt swore in Mr. Sigmund Jacobsen, 30 Fernwood Drive, New City, N.Y. He testified as follows:

Q: Property which is shown RA-1. You are asking for R-22. Yes.

Q: Have you determined on the present existing zone, RA-1, how many lots can be fully developed? 46 houses.

Q: Total number of lots under R-22? 71 lots.

Q: How many do you propose to limit yourself to? 66 lots.

Q: That is 5 less than under R-22. Yes.

Q: How much are improved lots being sold for in New City? Anywhere from \$5,000 to \$8,000 at the present time.

Q: Would you describe to the Board the size of lots in section on Phillips Hill Rd. Size of lots are 1 acre, except for two of them which have been sold to \$30,000 home builders.

Q: Are the houses on Phillips Hill Road custom built? Yes.

Q: Would you agree to any other limits upon development of this property?

A: Yes. I would like to limit myself over 3 years to 22 homes a year.

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Q: What would be the total average of the lots?

A: They will average about 28,000 sq. ft. which is close to 1/4 acre.

Q: In what price range would your homes be constructed?

A: About \$25,000 and up.

Q: You would be agreeable to limiting yourself to 66 homes over a 3-yr. period 22 homes a year, and you would also file a declaration of restrictive covenant to that effect.

A: Yes.

Mr. Johns asked Board to grant application under R-22 which would be with restrictions as he has indicated.

The following questions were asked by Board:

What school encompasses this area? Central Clarkstown District - Little Tor.

Does developer anticipate septic? Yes.

There were no further witnesses.

Mr. Mundt asked if anyone wished to appear against petition.

The following appeared:

Mr. William Zabriskie, 460 Phillips Hill Rd., New City, N.Y.

Mrs. Mokover, 450 Phillips Hill Rd., New City, N.Y.

Mr. Martin Hurwitz, New City, N.Y.

Mr. Hurwitz asked the Board to set up two-acre buffer zone. Would take up lots (4) along their boundary. (Beth-Sholom)

Also appearing against was Mr. Dean Seifried, New City, N.Y. who suggested that there be some deferment in considered changes as it applies to the Clarkstown Central School Dist. until such time as a new viewpoint on our overall Town Planning might take place. He also suggested that town and school should pool their ideas and plan together.

Mr. Mundt read letter from Clarkstown Planning approving proposed zoning change.

In rebuttal, Mr. Johns stated that if Board checks previous application this does differ. Total number of lots limits to 22 houses over a 3-year period and average out at 28,000 sq. ft.

As for schools, Mr. Johns stated that we could build 46 homes right now thereby creating more of a school problem. He reminded Board that septic tanks must be approved by Health Dept.

On motion by Mr. Northrup, seconded by Mr. Frohling and unanimously adopted, Public Hearing was adjourned. Board reserved decision.

Signed,

Anne E. O'Connor
Anne E. O'Connor
Town Clerk

PUBLIC HEARING

3/12/62

10:00 P.M.

Town Hall

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Atty. Mr. Freund.
Dep. Town Atty. Mr. Walber

RE: EXTENSION OF SEWER DISTRICT #4 TO INCLUDE NANUET PARK SUBDIVISION.

Public Hearing was called to order.

Town Clerk read notice of Public Hearing.

Mr. Murray Jacobsen appeared as attorney for petitioner and explained petition to Board. He stated that there were 33 homes in the subdivision.

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Mr. Ira Wallach, 6 Woodland Road, Nanuet, appeared before Board as witness and was sworn in by Mr. Mundt. He testified as follows:

Q: What is your capacity with Nanuet Park Homes?

A: Secretary of corporation

Q: Does petitioner own entire premises? Yes.

He stated that they intend to extend Silver Birch Sewer Dist. and tap into Orangetown. They have contacted Orangetown Sewer Dist. and they are waiting for creation of the sewer district to negotiate a contract.

(Letter from Orangetown Sewer Dist. presented to Board)

Will be completed approximately in July of this year. Will be dedicated to Town of Clarkstown within a year.

The following questions were asked by Board:

Q: Do you intend to tie in with Orangetown? Yes.

Q: Is provision made for maintenance of line so expense would not be borne by Clarkstown? A: We will dedicate whole system.

Mr. Mundt asked Mr. Brenner, Orangetown Sewer Supt. if they maintain in Orangetown. He replied in the affirmative and stated that contract would be made by the Town. Assessments would be made accordingly.

Mr. Karp, Eng. for job, was sworn in by Mr. Mundt. He stated that he resided at 7 Park Lane, Nanuet, N.Y. and testified as follows:

Q: You are employed by corporation?

A: Yes. I am a licensed engineer and designed system.

Councilman Welchman suggested that contract between Clarkstown and Orangetown be obtained first, and that such contract should be drawn up by their attorney and the Town Attorney before matter is given consideration.

On motion by Mr. Frohling, seconded by Mr. Danko, and unanimously adopted, Public Hearing was adjourned.

Signed,



Anne E. O'Connor
Town Clerk

Town Hall

PUBLIC HEARING - 3/12/62

10:15 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Town Attorney Mr. Freund
Dep. Town Atty. Mr. Walber

RE: ESTABLISHMENT OF SEWER DISTRICT #11 (RO - DO CASTLE PARK, INC.)

Mr. Mundt called Public Hearing to order.

Town Clerk read Notice of Public Hearing.

Mr. Robert Kassell appeared as attorney for petitioner and explained petition to Board.

Prop. is located on the east side of North Middletown Road, Nanuet.

Mr. Robert Dorfmann of 274 S. Main St., Nanuet, will be developer of property.

Mr. Dorfman was sworn in by Mr. Mundt and testified as follows:

Q: Will the creation or establishment of this sewer district benefit all the property owners within the proposed district?

A: Yes. Nature of land would not take septic systems.

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Q: Are all the property owners who will benefit from this proposed sewer district included within the limits of the proposed district? Yes.

Q: Do you believe it is in the public interest to grant in whole or part, the proposed Sewer Dist.? - Yes.

Q: In what way will it benefit the property owners involved?

A: Without sewerage disposal system we would have to use septic systems. We are having trouble now in this area with these systems. Unit will serve area.

Q: Upon construction of Plant, will it be dedicated to Town? - Yes.

Q: Does the proposed location of sewer plant at the present time, in any way interfere or adjoin any property owners?

A: No. It is back up against the Thruway.

The following questions were asked by the Board:

Q: Do you intend to develop this as R-0? A: We will build single family dwellings.

Q: Does ditch pick up water and effluent from Greenridge Estates?

A: I believe it does. We will channel this ditch so there is no tendency of flooding.

Q: How far would you channel this?

A: It depends on Town Eng. It goes under Thruway through a pipe.

It was brought out that surrounding area was swampy. Petitioner stated they plan to fill in this area to bring it up.

Q: Have you ever considered this area for industrial use? No.

Engineer of proposed Sewer Plant was asked the maximum capacity of plant.
Reply - 41 units - 16 acres.

Anyone against - No one appeared.

Anyone in favor - None

On resolution by Mr. Danko, seconded by Mr. Northrup, and unanimously adopted, Public Hearing was adjourned.

Board reserved decision.

Signed,


Anne E. O'Connor
Town Clerk

SPECIAL TOWN BOARD MEETING
3/19/62

Town Hall

8:00 P.M.

Present: Messrs. Frohling, Danko, Northrup, Welchman, Mundt.
Dep. Town Atty. Mr. Walber

Special Town Board Meeting was called to order at 8:00 P.M.

Mr. Northrup moved the following resolution:

WHEREAS, a summons and complaint has been served on the Town of Clarkstown in a certain action in the Supreme Court, Rockland County, entitled William H. Powell vs. The Incorporated Village of Spring Valley, Town of Clarkstown, William E. Vines, Fred Brunjes, Norman Gardner and Kathryne Williams, now therefore

BE IT RESOLVED, that the Town Attorney be authorized to defend said action on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Attorney be further authorized to defend said action on behalf of William E. Vines, Fred Brunjes and Norman Gardner if requested to do so by said defendants, and be it

FURTHER RESOLVED, that in the event the Town of Clarkstown and its officers and/or employees are covered by any policy of insurance covering the

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