

PUBLIC HEARING

Town Hall

January 27th, 1964 - Monday

8:15 P.M.

Present: Messrs. Welchman, Danko, Holbrook, Frohling, Mundt.
 Town Attorney J. Martin Cornell
 Deputy Town Attorney Murray N. Jacobson
 Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - RICHARD J. FOLEY & EDITH J. FOLEY- (R-1 to C-1)

Supervisor Mundt opened hearing at 8:15 P.M. EST. Town Clerk read Notice of Public Hearing.

Harry Waitzman appeared on behalf of petitioner and made presentation as follows:

Property at south end of New City near Laurel Road, approximately 235' from present Main Street. On west bounded by N.Y. State Highway 905 (behind A & P) 350' frontage along Laurel Road. Approximately 715' frontage along west line. Along norther line, contiguous to two (2) lots in Laurel Estates. Along eastern line, partly along Laurel Estates and partly Laurel Road.

Beauty parlor, school, Browse & Budget Shop, A & P and Schriever tract. This portion is all C-1 along west side of property and non-conforming commercial.

1955 Zoning Ordinance: C-1 line drawn immediately north of this property. Not suitable for houses when Route 304 is rerouted.

QUESTIONS FROM BOARD:

Supervisor Mundt: What is intended use: Commercial. This property is subject to contract of sale. People buying property to construct office buildings and store. Present plans indefinite because sewers are not in at this time.

Councilman Frohling: Does your client have any intention of setting up a shrub or tree buffer area between the residential area to the rear? Ans: Stand of pine trees will be reserved. There will be a complete screening. There will be no visual observation by two to three houses along the north side.

Question: What depth would the buffer zone be? Ans: Minimum of 75' surrounding north line and northeast line.

Councilman Welchman: What objection would your client have to elimination of property along residential zone? Ans: Would like part of area considered for development.

Councilman Welchman: Parking? Ans: Would consider parking space. Entire parcel 5.129 acres.

Councilman Holbrook: Office building? Ans: Very possible.

No further questions from Board. No witnesses.

IN FAVOR: No one appeared.

OPPOSED: Resident at 2 Downey St., New City: Property abuts northern boundary of property in question. Should be considered suitable residential area. Only acquisition would be Laurel Rd. Does not want parking lot adjacent to his property. Would decrease value of residential property.

OPPOSED: Mr. John Mitchell, New City: Spot zoning. Forms much of core for further downzoning. Until we have Master Plan we cannot embark on such a policy.

REBUTTAL: Mr. Waitzman: Master Plan in each application has to be decided on its merits. Uniqueness in each one. There would be no real detriment to people living along few lots contiguous.

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PLANNING BOARD RECOMMENDATIONS:

COUNTY: Denial

TOWN: Denial - in agreement with County Planning Board.

On resolution by Mr. Frohling, seconded by Mr. Welchman and unanimously adopted, Public Hearing was adjourned.

Signed,

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

PUBLIC HEARING

Town Hall

January 27th, 1964

8:30 P.M.

Present: Messrs. Welchman, Danko, Holbrook, Frohling, Mundt.
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray H. Jacobsen
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - HARRY S. PETERSON (RA-1(X) to C-2): Property located on s/side of Route 303 and n/side of Storms Rd., Valley Cottage

Supervisor opened hearing at 8:30 P.M. Town Clerk read Notice of Public Hearing.

George S. Writer, Jr. appeared as attorney for petitioner and stated following:

Property 250' north of intersection of Route 303 and Storms Rd., bounded on west by Route 303; on east by Storms Rd., south of property of Kane; north by property of McQueen. To the south, C-2. Asking that this C-2 zone be extended so as to include subject property.

Land slopes down to Route 303. Definite future of this property along Route 303 is an extension of C-2.

Within a few 100' upon property, Tackle Shop, which has been there for some time, either by variance or non-conforming use. Rapidly becoming place of commercial enterprises. At foot of property, divided highway/

No immediate plans for selling. Not under contract for sale. Has discussed with real estate people who have stated that they see no future for his property other than commercial.

Across street, two residences which were purchased as such when it was zoned C-2.

Supervisor inquired if petitioner would agree to restrictive covenant - no gas station.

Ans: Yes.

Petitioner: Mr. Harry A. Peterson sworn in by Supervisor Mundt.

Resides at 415 Storms Rd., Valley Cottage. Re property, he stated that he would sustain a loss if sold it as residential property. 1/4 acre adjoining him is zoned C-2.

Neighbor to north has no objection. Is requesting change as protective measure. Journal-News plant to south. Tappan Zee Bank at intersection of Route 303 and Lake Rd. In between several businesses - Tackle Shop, Woodworking Shop, Restaurant on other side; gas station, etc. Route 303 destined for businesses.

There were no questions from Board. No witnesses.

IN FAVOR: Mrs. Helen Klein, Valley Cottage:

OPPOSED: Mr. Robert Sennish, Storms Rd., Valley Cottage, Not really opposed, just

wants to maintain residential. Owns 6 acres across from property in question. Down-zoning will snowball. If Storms Rd or Route 303 and adjacent streets are going to be set up for commercial zoning, residents should be informed. Doesn't relish idea of commercial coming in.

REBUTTAL: Mr. Writer stated that petitioner is willing to protect residents. Will take restrictive covenant to that effect.

PLANNING BOARD RECOMMENDATIONS:

COUNTY: Disapproval

TOWN: Approval - Property could not be used for residential development.

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

Signed,

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

PUBLIC HEARING

Town Hall

January 27th, 1964

8:45 P.M. EST

Present: Messrs. Wlechnan, Danko, Holbrook, Frohling, Mundt.
Town Attorney J. Martin Cornell
Deputy Town Attorney Murray N. Jacobson
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - CHELTON MANOR, INC. (R-22 to R-1) - Property located on w/side of Route 304, north of New City

Supervisor Mundt opened hearing at 8:45 P.M. Town Clerk read Notice of Public Hearing.

Martin Hurwitz - Attorney for Petitioner.

Property in question located w/side of Route 304 and north of New Hempstead Rd. Under R-22 would permit building of 19 lots. Under rezoned to R-1 would permit increase to 26 lots.

On east - Residences along Route 304.

On south - Middlesex Hts. - (R-1 Development)

On two sides - Gessel's Farm

Access would be through the new road to be cut in Middlesex Dev. In immediate vicinity, Little Tor School and New City Elementary School.

Client is willing to agree to restrictive covenant as to present intersection. Would agree to installation of dry sewers. Boundary of Sewer Dist. #18 would come close to property. County Trunk would come into immediate area. Property in question surrounded by R-1.

PUBLIC FACILITIES: Schools, roads, etc. Sewers coming nearby. Applicant has solved existing drainage problem eliminating swampy area. Client will drain entire area. Work already in progress.

WITNESSES: Mr. Abe Ellis sworn in by Mr. Mundt. Testified as follows:

Vice-President - Approx. acreage: 12.31 Very small portion in R-1 - .06 acres.

Under present R-22 would build 20-21 single residences. 26 under R-1.

ACCESS: From south and Middlesex Dev. road under construction now; would join Route 304 south of property. Would agree to install dry sewers. Would agree to reasonable restrictive covenants. On property to south: part of Middlesex Hts. Sub.

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main drainage trunk line is located there. At present the road is being cut and drainage facilities are being installed.

DRAINAGE AGREEMENT: Was Swampy. Work has been done to enable this piece of land to drain into this trunk line. Cost of this improvement \$90-100, which includes easement through M.A.K. lands. Mr. Elish's share of cost was 19.98% of exact amount.

Attorney Hurwitz offered Drainage Agreement in evidence.

QUESTIONS FROM BOARD:

Councilman Welchman: How long was R-22 granted? **Ans:** Fall of '62. What is property to north? **Ans:** RA-1

Councilman Holbrook: Since your 1962 application, has there been a change of zone in the surrounding area? **Ans:** Piece to north has received approval for 1/3 acre. Since I have received R-22, there has been an expenditure of money and solution to drainage problem.

Councilman Welchman: Were you aware of drainage problem when you accepted R-22. **Ans:** Yes, but not to extent that it exists.

WITNESSES:

Edw. P. Arbogast, Eng * Sworn in by Supervisor Mundt. Testified as follows:

Professional Engineer. In practice seven years, three with Town of Clarkstown. Is familiar with property. When he was Town Engineer, he became familiar with its problems. Was retained by Mr. Elish to solve drainage in connection with Holt Hills and Forest Acres.

Ques: How would affect number of buildings? **Ans:** Possible additional seven lots.

Several zones were designated with "X" which were designed for lowering the lot sizes as public facilities became available. This would prevent running utilities out into woods to serve isolated developments.

No further witnesses. No further questions.

IN FAVOR: No one appeared.

OPPOSED: Mr. John Lacey: Access would be from Route 304 into Cambridge and Dorset. Lives adjacent to this property. (Mr. Hurwitz interjected that Verdin or Eberling Dr. would not be used.)

REBUTTAL: None.

PLANNING BOARD RECOMMENDATIONS:

County: Denial

Town: Denial

On resolution by Mr. Holbrook, seconded by Mr. Welchman and unanimously adopted, Public Hearing was adjourned.

Signed,

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

PUBLIC HEARING

Town Hall

January 27th, 1964

9:15 PM - EST

Present: Messrs. Welchman, Danko, Holbrook, Frohling, Mundt.
 Town Attorney J. Martin Cornell
 Deputy Town Attorney Murray N. Jacobson
 Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - ROBERT INSLEY - (R-1 to C-2) - Property located on E/side of Old Middletown Road, Manuet.

Supervisor Mundt opened Public Hearing at 9:15 P.M. E.S.T. Town Clerk read Notice of Public Hearing.

Attorney for petitioner, Samuel Gunn, Manuet, N.Y. stating that he is also representing Kirchner, Wyman & Johnson, who have contracted to purchase land, described the request as follows:

1.210 acres of land which have on it single family residences. Desire to redistrict from R-1 to C-2.

LOCATION: At intersection on south end of Old Middletown Road and 304. Triangle formed at south end. New lot was built to eliminate a bad curve when traveling from or to Pearl River or Manuet.

Premises under question is part of large island of about 5 or 6 acres which starts at old firehouse in Manuet at Church St. on the north and their premises on the south.

Nearest side streets are Church St. on north and Blauvelt St. on south. Triangle concerned with on south end is 348' along Old Middletown Rd. with frontage at apex to the south of 48' and further south of that, attached to it, is a piece of State-Owned property.

Premises have always been homes of Insley family. Premises adjoining to the north, Mrs. McGinley, who also has frontage on 304 and Old Middletown Road.

Next to that, premises of Mr. Pfingst. These are residential premises, but he has variance for maintenance of retail flower shop. (Letter addressed to Board from Mr. Pfingst consenting to this change placed on record.)

North of Pfingst property, lands are now zoned C-2. Now occupied by Rockland Transmission, a gas station and repair shop. North of that is Jolene Cleaners.

PROPOSED USE: Intention is to move Shell Gas Station on South Middletown Road south of Lederle opposite residence of Fred Horn and dispose of station when new route 304 comes through Pearl River. It is intention of Shell Gas people to build new gas station at south end of Insley premises.

Set back 200' from south line of the Insley premises. Rest of area pumping stations or lighting fixtures. East of Middletown Gas station corner of Church St. Manuet Cemetery, vacant lands, and only residential. Home of Herman Dorfman. They have always used their homes for offices. Mr. and Mrs. Dorfman approve.

WITNESSES:

Mr. Fred Horn: Sworn in by Supervisor Mundt. Testified as follows:

Is licensed real estate broker and appraiser for 25-30 years. Resident 56 years. Familiar with property in question. Would not depreciate. Corner hazard since bypass went through. State owns 60' which acts as buffer. Commercial zone only use. Gas station better than tavern.

Mr. Schaffner: Engineer, Shell Oil Co. Sworn in by Supervisor Mundt.

Described plan of station to Board: Two-bay bldg. One set back 10'; other 20'. Four entrances, each one being illuminated by fluorescent lighting - entirely blacktopped.

RESTRICTIVE COVENANTS: Would client accept restrictive covenant to the effect that architects plan to receive approval of Town Board. Would go along with colonial construction. Board would have to approve construction before building permit would be issued.

Client will accept any restriction as far as policing, screening, etc. to protect area in question.

IN FAVOR: No one appeared.

Opposed:

1. Norman Insley: Not opposed to downzone. Client could put anything up. (Mr. Gunn: will covenant to restrict to gas station only). Mr. Insley: requested that matter be deferred until sewer is determined.
2. Mr. Reichard: Downzoning is not inevitable. Rests with people. Letter from Dr. Jacaruso, President of Nanuet Board of Education presented to Board together with petition of protest containing 170 signatures.
3. Harold Edsall, 25 Edsall Ave.; Already eight gas stations in area.
4. Russell Knapp, Nanuet Ave.: Increase in traffic and accidents.
5. Alton Moody, 7 Englewood Ave.: Junk Cars - existing station will still be there.
6. Dorothy Brown, Rockland Ave.: Children, traffic
7. Leon Copeland, 2 Clifford Court: Traffic, eyesore - need light before more traffic is run into area.

REBUTTAL: Mr. Gunn/ Request that the Board decides application strictly on its merits. Ask that Board review any petition submitted with respect to people who signed and their locations in Nanuet, with respect to our subject premises. People objecting live 500 ft. away.

PLANNING BOARD RECOMMENDATIONS:

COUNTY: Disapproval

TOWN: Proposal reasonable. Recommends rezoning of intervening area to north of parcel, making the entire island commercial unit (C-2) even though portion now occupied as residence.

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

Signed,


Anne E. O'Connor
Town Clerk

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TOWN BOARD MEETING

Town Hall

January 27th, 1964

8:00 P.M.

Present: Messrs. Welchman, Danko, Holbrook, Frohling, Mundt.
 Town Attorney J. Martin Cornell
 Deputy Town Attorney Murray N. Jacobson
 Town Clerk Anne E. O'Connor

Supervisor Mundt called Town Board Meeting to order at 8:00 P.M. E.S.T.

On resolution by Mr. Holbrook, seconded by Mr. Frohling and unanimously adopted, minutes of Organizational Meeting held 1/6/64; regular Town Board meeting and one Public Hearing held on 1/13/64 were approved as submitted. Mr. Danko abstained on approval of 1/13/64 minutes because of his absence at said meeting.

Town Board signed Order setting date of Public Hearing on Extension of New City-West Nyack Water Supply District to include "The Dells" - 2/17/64 - 8:30 P.M.

In the Matter of petition for the Extension of the New City-West Nyack Water Supply District to include The Dells subdivision in the Town of Clarkstown, Rockland County, New York,

WHEREAS, a written petition dated Dec. 16, 1963, 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 the Extension of the New City-West Nyack Water Supply District in the said Town,

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Ave., New City, Rockland County, New York, in said Town of Clarkstown, on the 17th day of February, 1964, at 8:30 P.M. E.S.T., to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Town Board signed Order setting date of Public Hearing on Extension of New City-West Nyack Water Supply District to include Hannet Farms, Sec. I - 2/17/64-8:45 PM.

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 27th day of January, 1964, for the hearing of all persons interested in the matter on the 17th day of January, 1964, at 8:45 P.M. EST, at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Ave., New City, N.Y. 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 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 of Clarkstown.

Mr. Danko moved the following resolution:

WHEREAS, the Superintendent of Highways has reported that the work required to be done to complete the stub in Demarest Hills Subdivision, New City, N.Y. has been concluded to the satisfaction of this department and has recommended that the Guaranty Deposit of \$300 be returned to Chelton Manor, now therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to return to Chelton Manor the Guaranty Deposit of \$300.

Seconded by Mr. Welchman.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that drainage easement from Wa. F. Baccaglioni and Marg. C. Baccaglioni be accepted by the Town of Clarkstown.

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that drainage easement from Wa. W. Chase and Patricia Chase be accepted by the Town of Clarkstown.

Seconded by Mr. Holbrook.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that drainage easement from Frank J. Ciardullo and Barbara Ciardullo be accepted by the Town of Clarkstown.

Seconded by Mr. Holbrook.

All voted yes.

All above-mentioned easements recorded in County Clerk's Office.

Mr. Frohling moved the following resolution:

RESOLVED, that the Highway Superintendent be instructed to complete the drainage work as per specifications of Town Engineer on Baccaglioni, Chase and Ciardullo properties.

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the matter of Fire Hydrants be referred to the Town Attorney for study and recommendation.

Seconded by Mr. Holbrook.

All voted yes.

On resolution by Mr. Danko, seconded by Mr. Frohling and unanimously adopted, regular Town Board meeting was adjourned for scheduled public hearings.

On resolution by Mr. Welchman, seconded by Mr. Holbrook and unanimously adopted, regular Town Board meeting was resumed.

Mr. Welchman moved the following resolution:

RESOLVED, that decision on zone change application made by Richard J. and Edith J. Foley (R-1 to C-1) be reserved.

Seconded by Mr. Frohling.

All voted yes.

Mr. Danko moved the following resolution:

RESOLVED, that zone change decision on application made by Harry A. Peterson (RA-1(X) to C-2) be reserved.

Seconded by Mr. Welchman.

All voted yes.

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Mr. Welchman moved the following resolution:

RESOLVED, that decision on zone change application of Chelton Manor, Inc. (R-22 to R-1).

Seconded by Mr. Danko.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that Public Hearing be rescheduled on zone change application made by Pascack Developing Corp. from 1/27/64 at 9:00 P.M. to 2/24/64 at 8:15 P.M., petitioner to reimburse Town for additional cost of publication.

Seconded by Mr. Welchman.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that decision on zone change application made by Robert Insley (R-1 to C-2) be reserved.

Seconded by Mr. Welchman.

All voted yes.

Mr. Lancaster appeared before Board re Dykes Park Road. Meeting will be held in Supervisor Mundt's office at 5:15 P.M., Thursday, 1/30/64 with Town Board, Town Engineer, Town Attorney, Edw. P. Arbogast, Eng., and Mr. Norman Rauch in attendance. Town Clerk has notified all to attend so matter can be discussed and situation alleviated.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of Harold Reiss and George Reiss for a change of zoning from a R-1 district to a C-1 district on property located on Hutton Avenue, Nanuet, N.Y., be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of Ungava Farms, Inc. for a change of zoning from a RA-1 district to a R-1 district, on property located on Phillips Hill Road, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Mr. Danko.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of Davies Farm, Inc. for a change of zoning from a R-1 district to a C-1 district on property located on the west side of North Middletown Road, New City, N.Y., be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance.

Seconded by Mr. Danko.

All voted yes.

Re matter of Town Board acting on regulations as adopted by Planning Board, Town Attorney informed Board that situation at this time is premature.

Mr. Welchman moved the following resolution:

RESOLVED, that Supervisor be and he is hereby authorized to sign agreement for street lighting service between Orange & Rockland Utilities, Inc., and the Town of Clarkstown consolidating nine (9) present lighting districts.

Seconded by Mr. Danko.

All voted yes.

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Agreement was signed by Supervisor. Town Clerk will expedite.

Mr. Danko moved the following resolution:

RESOLVED, that one (1) 1000 lu. street light be installed by Orange & Rockland Utilities on pole #75 located on Route 303, south of Lake Road in Congers, N.Y., and be it

FURTHER RESOLVED, that said installation be charged against the Congers Lighting District.

Seconded by Mr. Holbrook.

All voted yes.

Discussion on sidewalks and County roads by Highway Supt. was tabled for future meeting.

Town Board signed the following performance bonds, approving them as to form and sufficiency:

Perf. Bond #2224935
Cent. Casualty Co.
Pomona Custom Bldrs., Inc. Princ (Laird Acres)
\$136,000. - 2 yrs. - 1/27/64-1/27/66

Perf. Bond #400AT3370 (6899)
St. Paul Fire & Marine
Lunar Bldrs., Inc., Brinc. (Middlesex Hts.) Roads, etc.
\$119,586.25 - 2 yrs. - 1/27/64 - 1/27/66

Perf. Bond #400AT3369 (6898)
St. Paul Fire & Marine
Lunar Bldrs., Inc. Princ. (Middlesex Hts.) Sanitary Sewers
\$27,200.00 - 2 yrs. 1/27/64-1/27/66

Mr. Frohling moved the following resolution:

RESOLVED, that W. Reginald Herdman be appointed a member of the Zoning Advisory Board to replace Jay Northrup.

Seconded by Mr. Holbrook.

All voted yes.

Valley Cottage petition for residential-commercial zone turned over to Town Engineer for an answer by Wednesday, 1/29/64, when Board will meet.

Mr. Welchman moved the following resolution.

RESOLVED, that the Town Board does hereby elect not to publish the complete financial report pursuant to subdivision 10 of Section 29 of the Town Law, and be it

FURTHER RESOLVED, to have published a comprehensive statement which will permit an intelligent appraisal of the finances of the Town and promote confidence in government by an informed public, and be it

FURTHER RESOLVED, that the Town Clerk furnish to the Department of Audit and Control a newspaper copy of the report of the Town when received by the Town Clerk's office.

Seconded by Mr. Holbrook.

All voted yes.

On advice of Deputy Town Attorney Murray Jacobson who stated that bond is still pending, signing of Order extending Sanitary Sewer District #7 to include property being the center line of Pascack Road a distance south 845' from the Ramapo Town in the Town of Clarkstown was held for future meeting.

Letter read from H. Michael Alfano submitting his resignation as member of Shade Tree Commission effective immediately. Town Clerk instructed to write Mr. Alfano accepting his resignation with regret.

TBM - 1/27/64

Mr. Danko moved the following resolution:

WHEREAS, the resignation of Alfred McKay of 83 Ohio Avenue, Congers, N.Y., as School Crossing Guard in front of Street School, Zukor Road, New City, N.Y. effective January 21, 1964, has been filed, and

WHEREAS, Chief of Police Ernest F. Wiebicke, has submitted the name of George Thomas, 15 Stern Place, Congers, N.Y., to fill the vacancy, now therefore be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of George Thomas, 15 Stern Place, Congers, N.Y., to the position of School Crossing Guard at a salary of \$4.00 per day retroactive to and effective January 22nd, 1964.

Seconded by Mr. Frohling.

All voted yes.

Mr. Holbrook moved the following resolution:

WHEREAS a public referendum dated December 1964 granted approval of a County wide sewage disposal program for Rockland County, and

WHEREAS, any planning by the Town of Clarkstown for sewage disposal would be a duplication of effort, be it

RESOLVED, that the Town Engineer, as designated representative, be directed to rescind HHFA application Number 3185 for Planning Funds for Sewage Disposal.

Seconded by Mr. Welchman.

All voted yes.

Mr. Frohling moved the following resolution:

WHEREAS, application has been made to the Housing Home Finance Agency for Planning Funds for lateral districts within the Town of Clarkstown, and

WHEREAS, it is desirable to modify the boundary of the area under consideration, to include additional users, be it

RESOLVED, that the Supervisor as designated representative be directed to modify HHFA application No. 3184 to include a section of Central Nyack, and be it

FURTHER RESOLVED, that the engineering estimates be modified to include the necessary funds for sub-surface investigation.

Seconded by Mr. Welchman.

All voted yes.

Re Joseph Maurer Building Permit under Sec. 280-A, Town Engineer will report Wednesday, January 29th, at meeting with Board.

Mr. Frohling moved the following resolution:

RESOLVED, that Zoning Change Application Supplement of S.B. DEVELOPMENT CORP. be referred to County and Town Planning Boards. (Original petition referred 12/23/63)

Seconded by Mr. Holbrook.

All voted yes.

Adoption of resolution setting date of public hearing for specifications for Sanitary Sewers in subdivision deferred until Town Engineer shows Town Attorney proposed ordinance.

Mr. Welchman moved the following resolution:

RESOLVED, that George Hall be authorized to make appraisal of Clarkstown property located in West Nyack between Western Hwy and West Shore RR tracks.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that the application of Alfred J. Elish for a change of zoning from an R-22 and RA-1 district to an R-2 district, on property located in Central Nyack, near Valley Cottage, in the Town of Clarkstown, be referred to the Planning Board for report pursuant to the provisions of 8.51, 8.52 and 8.522 of the Clarkstown Building Zone Ordinance, and also to the Rockland County Planning Board pursuant to Sections 239L and 239M of the General Municipal Law.

Seconded by Mr. Frohling.

All voted yes.

Town Board signed Agreement for Expenditure of Highway Moneys in the amount of \$375,769.54.

Mr. Welchman moved the following resolution:

BE IT RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an Agreement on behalf of the Town of Clarkstown with the Board of Education of Central School District #1 of the Town of Clarkstown for the purpose of indemnifying the School District with regard to any injury or damage resulting from the use of the premises of the Board of Education of Central School District #1 of the Town of Clarkstown by the Clarkstown Recreation Commission.

Seconded by Mr. Frohling.

All voted yes.

Agreement in Town Attorney's office.

Mr. Frohling moved the following resolution:

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the permanent appointment of Paul Bavaro, 50 Deerfield Drive, New City, N.Y. to the position of Cleaner, part-time, at a salary of \$624.00 per annum effective 2/1/64.

Seconded by Mr. Welchman.

All voted yes.

Mr. Frohling moved the following resolution:

RESOLVED, that the amount of \$624.00 be transferred from CURRENT SURPLUS-GENERAL to TOWN HALL-EMPLOYEE COMPENSATION ACCOUNT.

Seconded by Mr. Welchman

All voted yes.

Town Clerk instructed to write to Mrs. Jalah Leach accepting her resignation as Commissioner on Clarkstown Recreation Commission with Town Board's regrets.

Mr. Welchman moved the following resolution:

RESOLVED, that New York State Department of Commerce, Bureau of Aviation, be authorized to paint aviation sign on Highway Barn Roof.

Seconded by Mr. Frohling.

All voted yes.

Mr. Welchman moved the following resolution:

RESOLVED, that Aaron D. Fried, Rockland County Planning Director, be requested to work in conjunction with the Town Engineer to determine best utilization of French Farm property.

Seconded by Mr. Frohling.

All voted yes.

BRG973

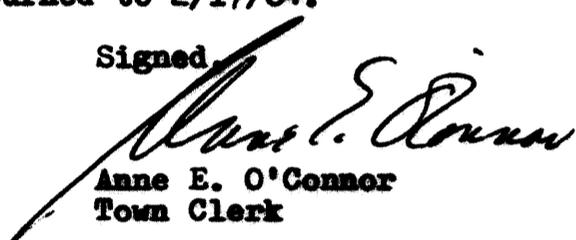
TBM - 1/27/64

Town Clerk was instructed to write letter to State Traffic Commission asking them to reconsider the installation of a traffic light at the junctions of Prospect Ave. and Route 304; and at the junction of Church Street and Route 304.

Letter read from Frank T. Hurley, Route 59, Namet, requesting safeguards at railroad crossing at foot of Prospect Avenue. Matter referred to Town Attorney to pursue proceedings of making railroad erect safeguard, or to ascertain if Board can have erected as a Township. It was suggested that request be made for a public hearing before Public Service Commission as to whether this can be legally declared a public thoroughfare.

On resolution by Mr. Holbrook, seconded by Mr. Welchman and unanimously adopted, Town Board meeting was adjourned to 2/17/64.

Signed



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

Wednesday, January 29th, 1964

9:00 PM EST

Present: Messrs. Welchman, Danko, Holbrook, Frohling, Mundt.
Town Attorney Martin J. Cornell
Deputy Town Clerk Murray N. Jacobson
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION - MAISONETTE DEVELOPMENT CORP. (I0 to R-2).

Supervisor Mundt declared Public Hearing in session at 9:00 P.M., E.S.T.

Town Clerk read Notice of Public Hearing.

Edw. G. Roepe, representing petitioner, Bernard G. Nemeroff, addressed the Board. Outlining the relief that the petitioner requests, he stated the following:

Land is a part of original Dellwood at the northern end of Town. Consideration of 25 acres.

1. Rezone of 25 acres which is described in petition from I0 to R-2; and
2. Request that Bulk Regulations affecting R-2 be amended to permit building of Hi-Rise apartments on these 25 acres.

BACKGROUND:

25 acres is an interior parcel of the original Dells tract; approximately five (5) years ago the Dells was granted a rezoning of a substantial amount of acreage then comprising part of The Dells tract to I0. Had approval of Industrial Commission. Have been successful in attracting one (1) tenant for I0 use, and that is a local concern; "Lamplighters Hall".

REASONS:

1. Location of sewerage facilities at time; and
2. No housing facilities for their personnel near at hand for large outfits.

We therefore believe that I0 can only be developed if housing is provided for personnel who will be brought into the area. They cannot be personal houses, because of short length of stay; unmarried people, etc. Will build in stages.