

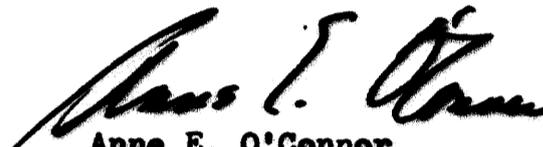
Town Board signed Street Opening Permit allowing Edward J. Huegel, Inc., 100 Crooked Hill Road, Pearl River, N.Y. to open road for installation of sanitary sewers on Pascack Road north (approximately 1000') of Wesrock Homes, said work to commence on May 12, 1964.

The Town Board requested the Town Attorney for report on the following at the next Town Board meeting:

1. Possible Local Law to safeguard homeowners' deposits.
2. Possible fee in connection with building permits to be applied for recreational purposes.
3. Investigate legal aspects of appointing counsel for lateral sewer districts
4. Investigate requirements for posting builders' plans and specifications in model homes.

On resolution made by Councilman Danko and seconded by Councilman Holbrook, and unanimously adopted, Town Board meeting was adjourned.

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

5/25/64

Town Hall

8:30 PM, D.S.T.

Present: Councilmen Frohling, Holbrook, Danko, Welchman, Mundt.
Town Attorney J. Martin Cornell
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE PETITION - ALFRED J. ELLISH (RA-1 & R-22 to R-2)
Property located in Central Nyack, near Valley Cottage

Supervisor Mundt declared public hearing in session at 8:30 PM, D.S.T.

Town Clerk read Notice of Public Hearing.

Jerome Trachtenberg, Esq., 79 Main Street, Nyack, N.Y., appeared as attorney for petitioner and explained request as follows:

Location: In Central Nyack on east side of Mountain View Ave., just north of Warren Hill Apartments.

1. Size of area - 45½ acres
2. Present zone - R-22 & RA-1
3. Purpose; for the development of garden-type apartments.
4. Land coverage for buildings: approx. 19%
5. Building program: approx. 750 units, consisting of 1 and 2 bedroom apartments.
No 3 bedroom apts. (60% one-bedroom; 40% two-bedroom)
6. Comparable to 17 units per acre in zoning ordinance.
7. Building program would run about 100 units per year.

SCHOOLS: Study indicates following:

This area in Nyack School District, which has three similar types of installations. Warren Hill Apts., which is adjacent; Rockland Gardens and

Salisbury Manor.

Between the three: Warren Hill Apts. 100 units
 Rockland Garden Apts: 60 "
 Salisbury Manor Apts: 120 "

School office indicates that school population from three is as follows:

Warren Hill Apts: 19 children
 Rockland Garden Apts: No school children (average about 5)
 Salisbury Manor Apts: 4 school children

Single family dwelling. 2.5 school children. 158 pupils single family homes.

RATABLES: Present running cost of unit of this kind is \$12,000. 750 units should produce a cost construction of nine milliondollars. Assessed val: \$7,200,000.

On 30% basis, \$2,160.00

Garden apts: \$7,200,000.
 63 Homes: 1,260,000.

\$5,940,000. (Difference in assessed valuation.)

Rockland Garden Apts; \$134,000. assessed val. at present time
 Warren Hill Apts: 259,000. " " " "
 Salisbury Manor Apts: 549,650.00 " " " "

SEWERS:

Developer proposed, at his own cost, to make installation of sewer system from the project to where a proposed trunk would be under the County System. Central Nyack is going to have its own lateral sewer district. Along 59, developer will tie in at his own cost.

Sup. Mundt: Petitioner would have to bore under the New York State Thruway.

Mr. Trachtenberg: Petitioner knows this.

Councilman Welchman: Covenant that petitioner will connect with Central Nyack Sewer System? Ans: Yes.

Mr. Trachtenberg: (cont): If we have County Sewer System, this could easily tie in.

We will not use the facility of Warren Hill Apts (Village of Nyack facilities)

Whatever installation planned, will be in line as to what is planned for County.

Sup. Mundt: Would trunk line come down Mountain View Ave? Yes, they can tie in if they so desire.

TRAFFIC: In this area, revenue would be such to carry whatever the traffic improvement was, and whatever was necessary could be done.

IMPACT ON AREA: In line with proper development of township and its planning. Located properly. Would be credit to township and community.

QUESTIONS FROM BOARD:

1. Are there any roads connected with this project that are anticipated to be turned over to Town?

Ans: There are roads contemplated and will be turned over to the Town in accordance with Town specifications.

2. Assuming you get approval for package plant and assuming project proceeded, and assuming that some day the County Sewer System comes into being, would your client turn the entire package plant over and hook into the county system without any expense to the district whatever?

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Ans: Yes. There would be no expense at all. We will covenant to that.

3. Sufficient parking? Is controlled by either the Planning Board or the Zoning Ordinance? Layout contemplated would use 19% for building, leaving 81% for roads, recreation, etc.

4. Would petitioner agree to submit design to Architectural Advisory Board? Yes.

5. Petitioner would agree to stage over a reasonable period of time?

Ans: Limit to 100 units a year. We would covenant to this. 6½ years building program contemplated.

6. SEWER TRUNK: Is it feasible, engineering-wise, to bring this down Mountain View Ave? Ans: If engineers find another way which is more feasible, it will be done. Engineering on this will have to follow in with County Plan. (We will have to be guided by what engineers say).

(Sup. Mundt requested report from Engineer indicating feasibility)

7. FIRE HYDRANTS: Will be installed.

8. RECREATIONAL AREA: Petitioner will covenant that he will provide.

IN FAVOR:

Mr. McKelman, Supt. of Nyack Schools: \$9,000,000. investment in school district. Impact on schools not too great. Wants assessment.

OPPOSED:

1. Chas. A. Lynn, Mountain View Ave., Central Nyack. Lives 100' lower in height on this street. Brook front of his property drains his property. What temporary means will be set up to take care of sewerage until they can drain through solid rock to put pipe through Mountain View Avenue? Will sewerage run into open brook?

Mr. Trachtenberg: Temporary measures will be taken.

2. Jerome Cowan: Property adjoins. Lake on his property. We should have some measure of fire protection. Traffic: Warren Hills Apts has presented hazard. Wants wider streets. Part of his property is higher at one point; but most is lower. Cited fire protection; drainage, traffic and sewage. Wants to be sure he can connect.

Supervisor Mundt stated that feasibility study requested will include all these points.

Water supply district will be extended for fire hydrant installations.

3. William Waldron, Valley Cottage: Opposed - drainage.

4. John Tomicki, West Nyack: Master Plan.

Mr. Trachtenberg: (Concluding remarks)

Nine million dollar investment cannot be called downzoning. Drainage, sewers, traffic matter have to be solved.

CORRESPONDENCE:

CLARKSTOWN PLANNING BOARD: Denial

COUNTY PLANNING BOARD: (a) Approval under limited applications of Gen. Mun. Law
(b) Denial under Sec. 8.522 of zoning ordinance.

CENTRAL NYACK CIVIC ASSOCIATION: Approves construction of complex if this particular development becomes part of Central Nyack School System, and trunk line expense is borne by developer.

On resolution by Councilman Holbrook, seconded by Councilman Welchman and unanimously adopted, public hearing was adjourned.

Signed,

TOWN BOARD MEETING

Town Hall

5/25/64

8:00 P.M.

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

Sup. Mundt called Town Board meeting to order at 8:00 P.M.

Councilman Danko moved the following resolution:

(239) RESOLVED, that minutes of Special Town Board meeting held on May 5, 1964; one (1) public hearing and regular Town Board meeting held on May 11, 1964; and three (3) public hearings and special Town Board meeting held on 5/18/64 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Welchman.

All voted yes.

(240) Councilman Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 13th day of April, 1964 provided for a public hearing on the 26th day of April, 1964 at 9:00 P.M., (E.S.T.), to consider the application of THOMAS E. WALSH to amend the Building Zone Ordinance of the said Town by redistricting the property of the said petitioner from an R-2 district to a C-1 district; 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 Building one Ordinance of the Town of Clarkstown be and it hereby is amended by dedistricting the following described property at Congers, New York in said Town from an R-2 district to a C-1 district.

SCHEDULE "A"

ALL that certain lot, plot, parcel or piece of land situate, lying and being at Congers, in the Town of Clarkstown, County of Rockland, State of New York, and more particularly described as follows:

Lots Nos. 69, 70, 71, 72, 73, 74, and 75, Section "E", as shown on Map of Boston Improvement Company dated July 9, 1889, made by James A. Lee, Surveyor and filed in the Rockland County Clerk's Office on July 9, 1889.

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION, made the 9th day of March, 1965, by THOMAS E. WALSH, residing at 23 Sheridan Avenue, Congers, New York, hereinafter referred to as "Owner".

WHEREAS, the said Owner is the owner in fee of premises on the north side of Lake Road and Harrison Avenue, in the hamlet of Congers, Town of Clarkstown, Rockland County, State of New York, as more particularly described in Schedule "A" annexed hereto and made a part hereof, and

WHEREAS, the said Owner has petitioned the Town Board of the Town of Clarkstown, hereinafter referred to as the "Town" to amend the zoning ordinance of the Town by changing the classification of the premises described in Schedule "A" hereto annexed from "R-2" to "C-1"; and

WHEREAS, the Town Board of the Town, by resolution, is about to approve the petition of the Owner as to the premises described in Schedule "A" hereto annexed, such approval to take effect upon the execution and delivery to the Town by the

(241) Town Board signed Order setting date of Public Hearing re Extension of New City-West Nyack Water Supply District to include Laird Acres Subdiv., 6/22/64 9:00 P.M., D.S.T.

In the matter of the petition for extension of the New City-West Nyack Water Supply district to include Laird Acres in the Town of Clarkstown, Rockland County, New York;

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 25th day of May, 1964, for the hearing of all persons interested in the matter on the 22nd day of June, 1964, at 9:00 PM E.D.T. at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Ave., 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, 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 as follows:

Lots 1 to 41 inclusive and the streets, roads and avenues being all of the premises shown on a certain subdivision map entitled "Laird Acres", subdivision of property of Raledco Corp. Town of Clarkstown, Rockland County, New York, made by Barbour & Jost, Surveyors, New City, New York, which map is filed in the Rockland County Clerk's office on December 30, 1963, in Book 67 of Maps at Page 45 as Map No. 3193.

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

Perf. Bond #748931 (Cont.Cas.Co) \$57,307.50
PATRICIA ANN HOMES -SEC. II - Roads
Period: 2 yrs. - 5/25/64-5/25/66

Perf. Bond #753559 (Cont.Cas.Co) \$11,046.00
PATRICIA ANN HOMES-SEC. II Sewers
Period covered: 2 yrs. 5/25/64-5/25/66

Perf. Bond #2276430 (Cont.Cas. Co.) \$7,230.00
DEMAREST HILLS HOMES SUBDIV.-Sewers
Period Covered: 2 yrs. 5/25/64-5/25/66

Perf. Bond #2226429 (Cont.Cas.Co) - \$22,780.00
DEMAREST HILLS (Sec. 7) - Roads
Period covered: 2 yrs. 5/25/64-5/25/66

Perf. Bond #2226459 (Cont.Cas.Co) \$90,415.00
THE DELLS, INC. - Roads
Period Covered: 2 yrs - 5/25/64-5/25/66

Owner of this Declaration:

W I T N E S S E T H:

FIRST: The Owner is the owner in fee of the premises described in Schedule "A" annexed hereto.

SECOND: The Owner does hereby covenant and agree that the building to be co constructed on said premises shall be used for offices and three (3) apartments.

THIRD: The Owner hereby covenants and agrees to submit architectural plans for review.

Re bond covering construction of sewers for The Dells, Inc. letter was received from the Chairman of the Clarkstown Planning Board, Morton L. Isler, advising the Town Board that, according to the Town Engineer, cost of constructing the sewer plant was not covered by the computations setting the bond, and recommending that said bond be returned to the Clarkstown Planning Board for further study. Town Clerk will expedite.

(242) Councilman Danko moved the following resolution:

WHEREAS, a public hearing was held by the Clarkstown Planning Board on 4/24/64 re reduction of Continental Casualty Co. Perf. Bond No. 2215719 in the amount of \$26,200.00 (EDEN ROC ESTATES - formerly Lenbar Realty Corp., Principal) now therefore be it

RESOLVED, that said Bond be reduced to not less than \$19,100.00 and the term be extended to May 14, 1966.

Seconded by Councilman Holbrook.

All voted yes.

(243) Councilman Welchman moved the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown considers it to be in the interest of the Town to amend Chapter 44 of the Code of the Town of Clarkstown (The General Ordinances of the Town) entitled Swimming Pools; be it

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Ave., New City, Rockland County, New York, in the said Town of Clarkstown, on the 8th day of June, 1964, at 9:45 P.M. (D.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.

Seconded by Councilman Holbrook.

All voted yes.

Request made by Town of Haverstraw for the loan of seven (7) voting machines to be used at the June 2, 1964 Primary Election granted by Town Board. The Town of Haverstraw will assume the charges and responsibility for the transportation, erection and dismantlement of said machines. Town Clerk will notify Town of Haverstraw of compliance.

Town Clerk was instructed to write to Mr. Michael Gallagher of Gallagher Utilities, Inc. requesting him to expedite sewer installation at Nanuet Park Sub-division stressing health hazards due to overflowing septic tanks.

(244) Councilman Holbrook moved the following resolution:

WHEREAS, Certification of Eligibles No. 6324 for the position of Clerk (Temporary) dated March 26, 1964, and issued by the Rockland County Personnel Office has been canvassed and there were sufficient declinations to reduce the list to less than three name, now therefore, be it

RESOLVED, that Judith B. Johnson be and she is hereby appointed to said position of Clerk (Temporary) in the Office of Justice of the Peace William E. Vines for six months only, pending result of Civil Service examination to be taken by her; and be it further

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RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment until November 25, 1964, provisional pending examination, of Judith B. Johnson, 131 Van Houten Fields, West Nyack, N.Y. to the position of Clerk (Temporary) at a salary of \$1.75 per hour effective 5/25/64. Seconded by Councilman Welchman. All voted yes.

(245) Councilman Welchman moved the following resolution:

RESOLVED, that Louis J. Wagner, M.D., be appointed to position on Architectural Advisory Board, effective immediately, to serve without compensation. Seconded by Councilman Holbrook. All voted yes.

(246) Councilman Holbrook moved the following resolution:

RESOLVED, that Richard May be appointed to a position on the New City Hamlet Advisory Board, effective immediately, to serve without compensation. Seconded by Councilman Frohling. All voted yes.

(247) Councilman Holbrook moved the following resolution:

RESOLVED, that Nathan Schneider be appointed to position on Architectural Advisory Board, effective immediately, to serve without compensation. Seconded by Councilman Frohling. All voted yes.

(248) Councilman Frohling moved the following resolution:

WHEREAS, Mortimer P. O'Sullivan, Freemont Ave., Nanuet, N.Y. has petitioned this Board for a refund of erroneous 1963 overcharge on the rate of taxes on property in the Town of Clarkstown assessed to Mortimer P. O'Sullivan, Freemont Avenue, Nanuet, N.Y., Map 161, Block A, Lot 13.01, 1964 tax roll on account of this property the rate applied was erroneous, therefore the overcharge should be refunded. (Zoning & Planning 3750 valuation @ \$.02¢) and was an erroneous assessment as verified by the Clarkstown Assessor, therefore be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund to the petitioner and charge Zoning & Planning the amount of erroneous tax, in the amount of 75¢.

Seconded by Councilman Holbrook. All voted yes.

(249) Councilman Frohling moved the following resolution:

WHEREAS, Vincent DiMicelli, 9 Bender Rd., Spring Valley, N.Y. has petitioned this Board for a refund of erroneous 1963 unpaid Sewer Rent Tax, District #9, taxes on property in the Town of Clarkstown, assessed to Vincent DiMicelli & Wife 9 Bender Road, Spring Valley, N.Y., Map 166, Block A, Lot 3.49, 1964 tax roll, on account of this property was erroneously charged for 1963 unpaid sewer tax on the 1964 State, County & Town Tax Bill. Sewer tax should have been billed to 166,A,3.48 and was an erroneous assessment as verified by the Clarkstown Assessor, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund to the petitioner and charge Sewer District #9 the amount of the erroneous tax, \$67.00.

Seconded by Councilman Holbrook. All voted yes.

(250) Councilman Frohling moved the following resolution:

WHEREAS, Julius Klein & Wife, Maxine Court, Spring Valley, N.Y. have petitioned this Board for a refund of erroneous 1963 charge for Zoning & Planning tax, since this property is in the Village of Spring Valley, taxes on property in the Town of

Clarkstown assessed to Julius Klein & Wife, Maxine Court, Spring Valley, N.Y. Map 7, Block B, Lot 1.24 1964 tax roll on account of thid property is in the Village of Spring Valley and should not be charged for zoning and planning tax; therefore, be it

RESOLVED, that the Supervisor be and is hereby authorized to refund to the petitioner and charge to Zoning & Planning the amount of the erroneous tax, \$3.10. Seconded by Councilman Holbrook. All voted yes.

(251) Councilman Frohling moved the following resolution:

WHEREAS, Julius Klein & Wife, Maxine Court, Spring Valley, N.Y. have petitioned this Board for a refund of erroneous 1963 charge for a Highway Tax, since this property is in the Village of Spring Valley, taxes on property in the Town of Clarkstown assessed to Julius Klein & Wife, Maxine Court, Spring Valley, N.Y., Map 7, Block B. Lot 1.24, 1964, on account of this property is in the Village of Spring Valley and should not have been charged a Highway Tax, and was an erroneous assessment as verified by the Clarkstown Assessor, therefore, be it

RESOLVED, that the Supervisor be and he is hereby authorized to refund to the petitioner and charge Highway Dept. the amount of the erroneous tax, \$35.20. Seconded by Councilman Holbrook. All voted yes.

(252) Councilman Frohling moved the following resolution:

RESOLVED, that J. Martin Cornell, Town Attorney, be authorized to attend the Third Annual Municipal Law Seminar sponsored by the Office for Local Government to be held June 4 and 5, 1964, at the Schine Ten Eyck Hotel in Albany, New York, and be it

FURTHER RESOLVED, that all necessary expenses incurred be charged to the Town Attorney's expense account.

Seconded by Councilman Holbrook. All voted yes.

(253) Councilman Welchman moved the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown held a public hearing on May 19, 1964, with regard to an amendment to the rules and regulations of the Planning Board to provide for the construction of sanitary sewers in subdivisions and also setting forth specifications for such construction, and

WHEREAS, the Planning Board of the Town of Clarkstown adopted said amendments at a public meeting on May 22, 1964, and

WHEREAS, such amendments have been submitted to the Town Board for its approval pursuant to Section 272 of the Town Law,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown approves the amendment to the rules and regulations of the Planning Board of the Town of Clarkstown as adopted by said Board pursuant to a resolution at a public meeting on May 22, 1964, being an amendment entitled "Specifications for Sanitary Sewer Construction", Town of Clarkstown, Rockland County, New York.

Seconded by Councilman Frohling. All voted yes.

(254) Councilman Danko moved the following resolution:

RESOLVED, that Town Board meeting be adjourned to hold regularly scheduled Public Hearing.

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Seconded by Councilman Holbrook.

All voted yes.

(255) Councilman Frohling moved the following resolution:

RESOLVED, that Town Board meeting be resumed, scheduled Public Hearing having been held.

Seconded by Councilman Welchman.

All voted yes.

(256) Councilman Holbrook moved the following resolution:

RESOLVED, that decision on zone change application of Alfred J. Elish, RA-1 and R-22 to R-2 (239M) be reserved.

Seconded by Councilman Frohling.

All voted yes.

Mr. Brett appeared before Board re work on Harrison Avenue, Congers, which has not been completed as promised. Supervisor Mundt stated that if work is not completed by 6/2/64 at 5:00 PM when Board will meet at Town Hall, bond will be declared in default.

Letter from Morton Isler, Chairman Clarkstown Planning Board, read re revision of zoning ordinance, requesting opportunity to discuss the expected scope of recommended zoning changes and the routes through which they will be processed with the zoning advisory committee and the Town Board. Meeting was arranged for 6/11/64 at 8:30 PM in the former IBM Room at the Town Hall.

Letter from Milton Karel requesting clearing out of culverts on Route 59-A turned over to Highway Supt. for his recommendations. Mr. Seeger will contact Mr. Karel.

(257) Councilman Holbrook moved the following resolution:

RESOLVED, that the Building Inspector of the Town of Clarkstown and the Planning Board of the Town of Clarkstown be directed to study and recommend to the Town Board appropriate means for requiring that that the subdivision map, plans and specifications for the model house in a subdivision be posted in the model house in a subdivision.

Seconded by Councilman Welchman.

All voted yes.

Matter of Building Inspector's fees and Town Engineer's fees were referred to Mr. Lutz and Mr. Palmenberg respectively for review as to whether they are realistic or not, asking for their recommendations concerning same.

On resolution by Councilman Frohling, seconded by Councilman Holbrook and unanimously adopted, Town Board meeting was adjourned.

Signed,


Anne E. O'Connor
Town Clerk