

SPECIAL TOWN BOARD MEETING

Town Hall

7/8/65

8:30 P.M.

Present: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
Deputy Town Clerk Charles R. Adams, Jr.
Town Attorney J. Martin Cornell

Supervisor Mundt called Special Town Board meeting to order.

(496) Councilman Welchman offered the following resolution:

RESOLVED, that minutes of four (4) public hearings and regular Town Board meeting held 6/21/65 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

Robert Cavanaugh, 11 Poplar Street, Nanuet, appeared regarding the extension of Sewer District #8.

Supervisor Mundt read a letter the Town Engineer re: Capacity of plant, etc.

Order for Public Hearing to be held 8/16/65 at 8:45 P.M. for the extension of Sewer District #8 will be signed at the July 19 meeting.

Supervisor Mundt read a letter from the Clarkstown Conservative Club re: Association of a group of officials of Rockland County that attempted to exclude press and news media.

For the record, Supervisor Mundt stated that at that meeting he had voted against the press not being present.

(497) Councilman Frohling offered the following resolution:

RESOLVED, that Chief Ernest Wiebicke be granted permission to attend New York State Chiefs' Convention to be held on July 19th to July 23rd at Rochester, N.Y., and that all necessary expenses be a Town charge.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(498) Councilman Holbrook offered the following resolution:

RESOLVED, that the Town Clerk be authorized to sign Hydrant Orders Inves. Nos. 4390, Congers; 4603, Valley Cottage; 4572, New City; and 4907, Congers.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

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(499) Councilman Holbrook offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from CURRENT SURPLUS-GENERAL to TOWN ENGINEER (EAST ORCHARD STREET) ACCOUNT, the amount of \$337.70.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(500) Councilman Frohling offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from CURRENT SURPLUS-GENERAL to TOWN ENGINEER(DRAINAGE) ACCOUNT the amount of \$280.00.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(501) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted a resolution on May 10, 1965, authorizing and directing the preparation of a general map, plan and report for the establishment of sewer districts in the Hamlets of New City and Nanuet, and authorizing the Supervisor of the Town of Clarkstown to accept from the United States of America the amount of \$34,400 and said resolution having appropriated said amount for the preparation of said map, plan and report, and

WHEREAS, said resolution was adopted subject to a permissive referendum in accordance with Article 7 of the Town Law and the thirty days having elapsed thereafter and no petition for referendum having been filed, and

WHEREAS, an agreement was entered into with the Housing and Home Finance Agency, which was accepted by the Town on June 11, 1965, providing for an advance to be made to the Town of Clarkstown in the amount of \$34,400 to aid the Town in the financing of the cost of preparing plans, maps and report in connection with the proposed lateral sewer districts, and

WHEREAS, the firm of Nussbaumer, Clarke & Velzy has proposed to prepare said plans, maps and reports,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute a contract with Nussbaumer, Clarke & Velzy of 500 Fifth Avenue, New York 36, New York, for the purpose of preparing maps, plans and reports in connection with proposed lateral sewer districts in the Town of Clarkstown designated as the "Third Program of Lateral Districts" including a portion of New City and Nanuet for a price not to exceed \$19,600 and the Supervisor is authorized to apply a portion of any advance to be received from the United States of America toward the payments due under said contract with Nussbaumer, Clarke & Velzy.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(502) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown adopted a resolution on May 10, 1965, authorizing and directing the preparation of a general map, plan and report for the establishment of sewer districts in the Hamlets of New City and Nanuet, and authorizing the Supervisor of the Town of Clarkstown to accept from the United States of America the amount of \$34,400 and said resolution having appropriated said amount for the preparation of said map, plan and report, and

WHEREAS, said resolution was adopted subject to a permissive referendum in accordance with Article 7 of the Town Law and the thirty days having elapsed thereafter and no petition for referendum having been filed, and

WHEREAS, an agreement was entered into with the Housing and Home Finance Agency, which was accepted by the Town on June 11, 1965, providing for an advance to be made to the Town of Clarkstown in the amount of \$34,400 to aid the Town in the financing of the cost of preparing plans, maps and report in connection with the proposed lateral sewer districts, and

WHEREAS, the firm of Woodward, Clyde Scherard and Associates has proposed to prepare said plans, maps and reports,

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute a contract with Woodward, Clyde, Scherard and Associates of 1425 Broad Street, Clifton, New Jersey, for the purpose of preparing maps, plans and reports in connection with proposed lateral sewer districts in the Town of Clarkstown designated as the "Third Program of Lateral Districts" including a portion of New City and Nanuet for a price not to exceed \$14,800 and the Supervisor is authorized to apply a portion of any advance to be received from the United States of America toward the payment due under said contract with Woodward, Clyde, Scherard and Associates.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(503) Councilman Frohling offered the following resolution:

WHEREAS, the Housing and Home Finance Agency Regulations require the municipality to execute a statement of compliance therewith with reference to Title VI of the Civil Rights Act of 1964, and

WHEREAS, the Town of Clarkstown hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the Housing and Home Finance Agency issued pursuant to that title to the end that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the Town of Clarkstown receives Federal assistance;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute such a statement.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen

CCE312

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
 NOES: None

(504) Councilman Welchman offered the following resolution:

RESOLVED, that the application of ELLES REALTY CORP. for a change of zoning from an M-1 district to an R-1 district on property located on the west side of Green Avenue approximately 1000 feet north of the intersection of Green Avenue and Rockland Lake Road, Valley Cottage, New York, 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 Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
 NOES: None

(505) Councilman Welchman offered the following resolution:

RESOLVED, that the application of SA.V.R. REALTY COMPANY for a change of zoning from an R-1 district to an C-1 district on property located on the west side of Route 304 (S.H. #9005) approximately 260 ft. north of the northerly right-of-way line of New Hempstead 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 Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
 NOES: None

(506) Councilman Frohling offered the following resolution:

RESOLVED, that the application of SIBARCO STATIONS, INC. FOR A SPECIAL PERMIT for the erection of a gas filling station pursuant to requirement of Section 3.11 (Table of General Use Regulations) of the Town of Clarkstown Building Zone Ordinance adopted April 4th, 1939, and as amended, for property in a C-2 District located on Kings Highway in Valley Cottage, New York, be referred to the Planning Board for report.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
 NOES: None

Supervisor Mundt read a letter from the State Traffic Commission regarding a meeting re the dangerous condition that exists at the intersection of Route 304 and Demarest Mill Road, Nanuet.

(508) Councilman Welchman offered the following resolution:

WHEREAS, JOSEPH P. McGINN has petitioned the Town Board of the Town of Clarkstown that the Building Zone Ordinance of the said Town be amended by redistricting property of the said petitioner described, from an RA-1 district to an R-1 district;

BE IT RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the said Town of Clarkstown, on the 16th day of August 1965, at 8:30 P.M., relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notices 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.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(509) Councilman Holbrook offered the following resolution:

RESOLVED, that the County Highway Department be requested to make traffic counts at the following locations:

Little Tor Road and Germonds Road
Little Tor Road and West Clarkstown Road
Little Tor Road and New Valley Road
Little Tor Road and Collyer Avenue

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(510) Councilman Frohling offered the following resolution:

RESOLVED, that Charles Henderson, 21 Demarest Avenue, New City, N.Y., be temporarily appointed as Laborer until September 15, 1965.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(511) Councilman Frohling offered the following resolution:

WHEREAS, the Northeastern Region of the United States has been severely affected by a drought now in its fourth year and

WHEREAS, said drought is equally affecting potential water sources for the County of Rockland and more particularly the Town of Clarkstown and

CCE312

WHEREAS, DeForest Lake at this time is at 61% of capacity which compares to 98% on June 30, 1964 and

WHEREAS, the continuing drought has had and continues to have a lowering effect on the ground water level which continues to drop, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown hereby urges all citizens to curtail lawn sprinkling during daylight hours effective this date and BE IT FURTHER

RESOLVED, the Police Department be instructed to inform any citizen not complying with this resolution to cease sprinkling lawn immediately.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(512) Councilman Welchman offered the following resolution:

RESOLVED, that the Supervisor be authorized to write to Mr. A. K. Morgan, Chief Engineer, Palisades Interstate Park Commission, requesting permission for a crossing of the Palisades Interstate Parkway for sewage disposal purposes.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(513) Councilman Frohling offered the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to paint "STOP" signs on all Town roads leading across new Route 304.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(514) Councilman Holbrook offered the following resolution:

RESOLVED, that resignation of M. C. Dow, formerly of Valley Cottage, member of West Nyack Hamlet Advisory Board, be accepted.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(515) Councilman Holbrook offered the following resolution:

RESOLVED, that Albert G. Lamborn, 13 Old Lake Road, Congers, be appointed member of Congers Hamlet Advisory Board.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(516) Councilman Frohling offered the following resolution:

WHEREAS, an agreement was entered into between Landau Building Corp. and the Town of Clarkstown on behalf of Sewer District No. 7, dated June 24, 1964, with regard to the construction of sanitary sewer lines in Pascack Road, and

WHEREAS, pursuant to said agreement, a bond with Leo Landau, as principal, and Insurance Company of North America, as surety, No. M 349976, was delivered to the Town of Clarkstown, and

WHEREAS, the work has been completed pursuant to the terms of said agreement and approved by the Town Engineer and the Superintendent of Highways;

NOW THEREFORE, be it

RESOLVED that said bond is hereby released.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

Reports of Comptroller for May 1965 and Welfare Officer's Report for June 1965 were accepted and placed on file.

(517) Councilman Holbrook offered the following resolution:

RESOLVED, that Superintendent of Highways be authorized to erect a "STOP" sign at the intersection of Tucker Avenue and Third Street, New City.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(518) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 8th day of March, 1965, provided for a public hearing on the 12th day of April, 1965 at 9:00 P.M., to consider the application of FRANCES E. JONES, ALBERT KWIECINSKI and NINA KWIECINSKI to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RA-1 district to an R-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 Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an RA-1 district to an R-1 district, the following described property in the Hamlet of New City, New York, in said Town and is described as follows:

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

BEGINNING at a point in the easterly line of Brewery Road at the division line between premises herein described and premises now or formerly of Stark; running thence (1) in an easterly direction along the southerly boundary line of premises now or formerly of Stark, 172.6 feet; thence (2) turning and running northerly along the easterly boundary line of said premises now or formerly of Stark, 190.6 feet to premises now or formerly of Woodridge Estates; thence (3) easterly along the southerly boundary line of said premises now or formerly of Woodridge Estates, 580 feet; thence (4) in a southerly direction and still along premises now or formerly of Woodridge Estates, 322.54 feet to a point; thence (5) still along Woodridge Estates in a southerly direction, 124.10 feet to premises now or formerly of Reis; thence (6) along said premises now or formerly of Reis, North 81° 25' 25" West, 714.69 feet to the easterly line of Brewery Road; thence (7) along said easterly line of Brewery Road, North 0° 32' 00" West, 166.92 feet to a point; thence (8) still along the easterly line of Brewery Road, North 1° 37' 30" East, 42.58 feet to the point or place of beginning.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(519) Councilman Welchman offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 26th day of April, 1965, provided for a public hearing on the 14th day of June, 1965 at 8:15 P.M., to consider the application of PLYMOUTH ROCK REALTY, LTD. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-1 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 ~~ENOW~~THEREFORE, be it

RESOLVED, that the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-1 district to a C-1 district, the following described property in the Hamlet of New City, New York, in said Town and is described as follows:

BEGINNING at a point in the westerly line of New York State Highway 9005 (Route 304) which point is the southeasterly corner of lands now or formerly of Staubach and the northeasterly corner of the premises herein described; running thence (1) along the westerly line of Route 304 South 51° 20' 30" West, 214.97 feet to a Rockland County Highway monument; thence (2) still along the westerly line of said Route 304 on a curve to the left having a radius of 707.87 feet, a distance of 274.41 feet to a Rockland County Highway monument; thence (3) turning and running North 59° 16' 46" West, a distance of 14.37 feet; thence (4) still along the westerly line of Route 304, South 29° 07' 50" West, 72.40 feet to a point of curve; thence (5) turning and running on a curve to the right having a radius of 25.00 feet, a distance of 39.27 feet to a point in the northerly line of Sandstone Trail; thence (6) along the northerly line of Sandstone Trail North 60° 52' 10" West, 127.08 feet to a point; thence turning and running the following four courses and distances along other lands of Plymouth Rock Realty, Ltd.: (7) North 29° 07' 50" East, 101.63 feet to a point; (8) North 59° 16' 46" West, 12.86 feet to a point; (9) on a curve to the right having a radius of 887.24 feet, a distance of 338.97 feet; and (10) North 51° 20' 30" East, 114.20 feet to a point in the northerly line of lands of Plymouth Rock Realty, Ltd. and the southerly line of premises now or formerly of Staubach; thence (11) South 81° 15' 30" East, 51.35 feet to iron pin; thence (12) South 63° 39' 35" East, along said southerly line of lands now or formerly of Staubach, 156.20 feet to the point or place of beginning.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(520) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of May, 1965, provided for a public hearing on the 21st day of June, 1965, at 8:15 P.M., to consider the application of Manny Apfelbaum to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of said petitioner from an RA district to a RA-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 application be DENIED.

Seconded by Councilman Welchman.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

CCE312

(521) Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of May, 1965, provided for a public hearing on the 14th day of June, 1965, at 9:00 P.M., to consider the application of HENRY HUDSON ASSOCIATES to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RA-1 district to a LS 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 application be DENIED.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
 ENOES: None

(522) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 25th day of May, 1965, provided for a public hearing on the 14th day of June, 1965 at 10:00 P.M. (E. T.), to consider the application of PANDA CONSTRUCTION CORPORATION to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RA-1 district to an R-1, or in the alternate, to an R-22 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 Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from RA-1 district to R-22 district, the following described property in the Hamlet of New City, New York, in said Town and is described as follows:

ALL that certain plot, piece or parcel of land, with the improvements thereon, situate, lying and being in the Town of Clarkstown of Clarkstown, County of Rockland and State of New York, bounded and described as follows:

BEGINNING at a point on the west side of Burda Avenue, which point is the easterly end of a stone wall, separating the southerly dividing line between the property herein described and the northern boundary line of property now or formerly owned by Preti and Carlock, and which point is the southeast corner of the property herein described, running thence (1) northerly along a stone wall on a course north 84° 22' 41" West, a distance of 308.37 feet to land of the State of New York and known as the Palisades Interstate Parkway, running thence (2) along land of the Palisades Interstate Parkway, north 9° 26' 38" West, a distance of 400.18 feet to a granite monument, running thence (3) north 9° 20' 27" West, a distance of 213.79 feet to a granite monument, running thence (4) south 79° 17' 14" East along property now or formerly of the Cedar Rest, a distance of 193.08 feet to a point, thence continuing along property of Cedar Rest

(5) south 79° 27' East, a distance of 453.16 feet to the easterly side of Burda Avenue; thence (6) along the easterly side of Burda Avenue on a course south 11° 15' 45" East, a distance of 1.76 feet to a Rockland County monument; thence (7) continuing along the westerly side of Burda Avenue on a course south 24° 11' 15" West, a distance of 486.67 feet; thence (8) continuing along the westerly side of Burda Avenue on a curve to the right having a radius of 783.81 feet, an arc length of 37.86 feet to the southeast corner of the property herein described and the point or place of beginning.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(523) Councilman Welchman offered the following resolution:

WHEREAS, San-Char Homes, Inc. made application for a special permit for a gas filling station located on the east side of Route 9W in the Hamlet of Congers, Town of Clarkstown, Rockland County, New York, pursuant to Section 8.333 of the Zoning Ordinance of the Town of Clarkstown, and,

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 21st day of June, 1965 at 8:45 P.M. in the Town Hall, 10 Maple Avenue, New City, Town of Clarkstown, New York, to consider such application;

NOW THEREFORE, the Town Board makes the following Special Findings pursuant to Section 4.31 of the Zoning Ordinance of the Town of Clarkstown,

THAT, the proposed use as described and represented by the applicant

(1) will be properly located with respect to transportation, water supply, waste disposal, fire and police protection, and other public facilities;

(2) will not cause undue traffic congestion or create a traffic hazard;

(3) will not create at any point of determination set forth in Sections 4.16, 4.17 and 4.18 of the Zoning Ordinance of the Town of Clarkstown any more dangerous and objectionable elements referred to in Section 4.11 than is characteristic of the use expressly permitted as of right in the same district;

(4) will not adversely effect the character of, or property values in, the area;

(5) will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity, and other aspects of the general welfare of the Town;

(6) will comply with all other requirements applicable to such uses;

(7)

(7) will be situated on a lot with an area of at least 20,000 square feet and a minimum lot frontage of 150 feet, and all major repairs will be made within a totally enclosed structure, and a maximum of five currently licensed vehicles will be parked on lots of less than one acre and one additional such vehicle for each one-fifth of an acre of the lot above said one acre, and all gasoline pumps and service facilities will be set back at least 20 feet

from the front lot line; all of said requirements being pursuant to Column 3, Section 3.11, Table of General Use Regulations in a C-2 District of the Zoning Ordinance of the Town of Clarkstown;

(8) will be screened along any lot line where the gas filling station is located on a lot, any lot line of which lies within 25 feet of an R District or SC District boundary, and flood lighting shall be arranged so there will be no glare of light toward such district boundary, pursuant to Column 8, Section 3.11, Table of General Use Regulations of the Zoning Ordinance of the Town of Clarkstown, and,

NOW THEREFORE, be it further

RESOLVED, that a special permit for a gas filling station pursuant to said application is hereby granted and the reasons for granting such special permit are that the proposed use of the premises will be for the convenience, comfort, prosperity, and general welfare of the community, and be it further,

RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such special permit shall constitute a written report to be filed with the Town Clerk pursuant to Section 8.333 of the Zoning Ordinance of the Town of Clarkstown.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(524) Councilman Welchman offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 10th day of May, 1965, provided for a public hearing on the 21st day of June, 1965 at 8:30 P.M., to consider the application of JOSEPH M. FINKELSTEIN, ROSLYN G. FINKELSTEIN and SEEVE MANAGEMENT CORPORATION to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an RO district to a C-2 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 for reasons of public health, safety and welfare, the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an RO district to a C-2 district, the following described property in the Hamlet of Nanuet, New York in said Town and is described as follows:

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

BEGINNING at a point in the north side of Old Nyack Turnpike, said point being distant 550 feet, more or less westerly from the intersection of the south side of Route 59 and the north side of Old Nyack Turnpike; running thence North 2° 20' West 120 feet to a point; thence South 85° 20' West 120 feet to a point; thence North 2° 20' West 4.33 feet to a point; thence South 86° 40' West 131.06 feet to a point; thence North 0° 40' West 250 feet, more or less, to lands now or formerly of Paintville; thence South 85° 10' West 213 feet, more or less, to lands now or formerly of Shukat; thence along said lands South 6° 20' 40" East 376.5 feet, more or less, to the north side of Old Nyack Turnpike; thence along the north side of Old Nyack Turnpike North 85° 20' East 430.46 feet to the point or place of beginning.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(525)

Councilman Frohling offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 12th day of April, 1965, provided for a public hearing on the 24th day of May, 1965 at 8:45 P.M., to consider the application of BUCKINGHAM MANOR, INC. to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-1(X), C-1 and R-1 district to an R-2 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 for reasons of public health, safety and welfare, the Building Zone Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-1(X), C-1 and R-1 district to an R-2 district, the following described property in the Hamlet of Nanuet, New York in said Town and is described as follows:

BEGINNING at a point in the easterly side line of Middletown Road also known as Main Street and also New York State Highway #9006, where it is intersected by the southerly line of Second Street and from thence,

1. Along said southerly side line of Second Street about North 84° 59' 31" East a distance of 1205.34 feet plus or minus to the westerly side line of College Avenue, thence

2. South 5° 18' 05" West and along said westerly side line of College Avenue, a distance of 476.82 feet, plus or minus to the lands N/F Rushe, thence

3. Along last mentioned lands & lands N/F David De Clark about South 84° 49' 35" West, a distance of 1253.05 feet plus or minus to the easterly side line of Middletown Road and from thence

4. Along said easterly side line of Middletown Road North 10° 20' 45" East, a distance of 511.02 feet, plus or minus to the above described point or place of beginning, excepting from the above described tract any part of First Street and that portion of the New Jersey and New York Railroad R.O.W. which lies North of First Street and South of the avandoned portion of Second Street.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(526) Councilman Welchman offered the following resolution:

RESOLVED, that the Town Attorney of the Town of Clarkstown be directed to take all necessary proceedings against Bond No. 2217753, Wesrock Homes, Inc. (Elinor Homes), Bond No. 2214951, Wesrock Homes, Inc. (Elinor Homes, Sec. 1), Bond No. 2216666, Rauch Construction Corporation (Reyville Estates) Bond No. 2200544, Red Hill Estates, Inc., (The Plains), and Bond No. 2203842, Red Hill Estates, Inc., (Frazier-Schriever) to insure construction and completion of roads in accordance with the Town Road Specifications, and be it

FURTHER RESOLVED, that the Town Engineer shall furnish all necessary data to the Town Attorney in order to complete this file.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

(527) Councilman Welchman offered the following resolution:

RESOLVED, that the Superintendent of Highways be authorized to install a "STOP" sign on Patricia Drive at the intersection of Colonial Drive and a "YIELD" sign at Colonial Drive.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

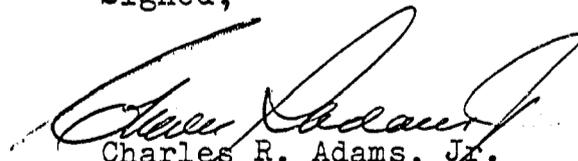
AYES: Councilmen Frohling, Holbrook, Welchman, Supervisor Mundt.
NOES: None

Supervisor Mundt read a letter from the Village of Nyack Board of Fire Commissioners regarding Councilman Holbrook's request for a hydrant on Route 59, West Nyack, in front of Shop Rite.

This matter was referred to the Town Attorney.

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

Signed,


Charles R. Adams, Jr.
Deputy Town Clerk