

## TOWN BOARD MEETING

Town Hall

2/10/66

3:00 P.M.

Present: Councilmen Holbrook, Brenner, Damiani, Frohling, Superintendent Mundt.  
Town Attorney Donald S. Tracy  
Town Clerk Anne E. O'Connor

Supervisor Mundt called Town Board Meeting to order.

Attorney George Goodman, New City, appeared before Board to present petition containing 80 signatures requesting that Town Board deny zone change petitions made by Houses & Homes, Ltd., and Route 304 Realty Corp. (Placed in Town Clerk's File).

(721) Councilman Frohling offered the following resolution:

WHEREAS, there is a possibility of extraordinary snow falls in the Town of Clarkstown, and,

WHEREAS, such snow falls may create a state of emergency because of the danger of fire, sickness, lack of food and medical assistance to persons on unplowed streets;

NOW THEREFORE, be it

RESOLVED, pursuant to the authority granted under the General Municipal Law, Section 209-0, the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to use any and all facilities, equipment supplies personnel, and other resources of the Town of Clarkstown in such manner as may be necessary or appropriate to cope with the natural emergency created by any extraordinary fall of snow on hard-surfaced roads, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby given the power and authority to declare an emergency at any time when he deems it necessary.

Seconded by Councilman Holbrook.

All voted Aye.

(722) Councilman Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 30<sup>th</sup> day of June, 1966, provided for a public hearing on the 3rd day of August, 1966, at 8:45 P.M., to consider the application of BRENT & PHILLIPS to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from and R-1 & C-2 district to an 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 for reasons of public health, safety, and welfare, the Building Zone Ordinance of the Town of Clarkstown be it hereby is amended by redistricting from R-1 & C-2 district to an C-1 district, the following described property in the Hamlet of Nanuet, New York in said Town and is described as follows: (See page 327 for attached description

RESTRICTIVE COVENANTS AS FOLLOWS:

1. Building to be constructed to be for office purposes only.
2. To submit plans to Shade Tree Committee.
3. Easements, such as sewer, drainage, road right-of-way, etc, will be granted free of charge to the governing authorities involved.
4. Site Plan (and facilities to be erected on site) in now way to conflict with anticipated road widening by State of New York.
5. Building Inspector shall require adequate screening.

Seconded by Councilman Brenner.

On roll call the vote was as follows:

AYES: Councilmen Holbrook, Brenner, Damiani, Supv. Mundt.  
NOES: Councilman Frohling. Motion Carried.

(723) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 1st day of June, 1966, provided for a public hearing on the 3rd day of August, 1966 at 8:15 P.M., to consider the application of ELLIS REALTY CORP. 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 notices;

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 RA-1 district to an R-1 district, the following described property in the Hamlet of Valley Cottage, New York in said Town and is described as follows:

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

BEGINNING at a concrete monument located on the northeast corner of Lot 10.15 in Block J of Tax Map No. 138; thence along the northerly boundary line of the aforementioned lot, which is also a portion of the southerly boundary line of the premises described herein, South 81° 51' 01" West 135.00 feet; thence along the northerly terminus of Valley Road, the following courses and distances;

- 1) North 8° 09' 59" West 25.00 feet; 2) South 81° 50' 01" West 50.00 feet;
- 3) South 8° 09' 59" East, 13.68 feet; 4) On a curve to the right having a radius of 25.00 feet for a length of 39.27 feet; 5) South 81° 50' 01" West 25.00 feet; 6) South 8° 09' 59" East 50.00 feet; thence along the boundary line between Lot 10.14 of Block J of Tax Map No. 138 and the lands described herein, the following courses and distances:

1) South 81° 50' 01" West 50.00 feet; 2) 8° 09' 59" East 130.00 feet; thence along the northerly and westerly right-of-way of Cottage Road the following courses and distances: 1) South 81° 50' 01" West 47.00 feet; 2) On a curve to the left having a radius of 173.00 feet for a length of 271.75 feet; 3) South 8° 09' 59" East 166.06 feet; thence along a line which is the northerly boundary line of Lot 10.04 of Block J, Tax Map No. 138, and a portion of the southerly boundary line of the lands described herein South 81° 50' 01" West 141.22 feet; thence along a line separating lands now or formerly of Tolatory Foundation Inc. and the lands described herein North 5° 59' 07" West 38.38 feet; thence along the boundary line separating other lands of Elles Realty Corp. and the lands described herein North 8° 01' 03" West 746.00 feet; thence along the boundary line between lands now or formerly of Clarkstown Estates and the lands described herein the following courses and distances: 1) North 65° 51' 40" East 104.91 feet; 2) North 23° 12' 37" East 643.50 feet; thence along the boundary line between lands owned by the Palisades Interstate Park Commission and the lands described herein the following courses and distances: 1) South 65° 29' 44" East 4.86 feet; 2) South 27° 30' 05" East 440.62 feet; 3) South 12° 28' 55" East 412.56 feet; 4) North 82° 03' 25" East 25.85 feet; back to the point or place of BEGINNING.

Seconded by Councilman Holbrook.

All voted Aye.

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

BEGINNING at a point on a curve formed by the intersection of the southerly side of Old Bush Turnpike and the westerly side of Sherwood Drive; thence (1) South 07° 13' West for a distance of 88.71 feet to a point; thence (2) North 82° 47' West a distance of 125.00 feet to a point; thence (3) North 07° 13' East a distance of 107.44 feet to a point; thence (4) South 85° 40' East a distance of 123.91 feet to a point; and thence (5) along an arc with a radius of 25 feet, tangent at 25.00 feet a distance of 40.53 feet to the point or place of BEGINNING.

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(724) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 3rd day of August, 1966, provided for a public hearing on the 17th day of August, 1966, at 9:00 P.M., to consider the application of BERTHA SLOMKA & DANIEL SCHUMER to amend the Building Zone Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an Sc & RC 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 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 SC & RC district to an R-2 district, the following described property in the Town of Clarkstown, New York and is described as follows:

FIRST PARCEL:

BEGINNING at a stake on the northerly side of the public road running from Spring Valley to Helder's Corners, commonly known as the Pipetown Hill Road, said stake being at the southeast corner of land now or formerly of A. Bianco; running thence along the said land now or formerly of A. Bianco, North 26 degrees 19 minutes 40 seconds East 331.74 feet to a stake at the south edge of a former mill pond and land of the Estate of Janaje K. Helfer, deceased; running thence easterly, southerly, easterly and southerly along the edge of said mill pond and land of Helder a distance of 206.41 feet to a stake in the south side of a dam; thence along the southerly side of said dam South 82 degrees 31 minutes 50 seconds East 210.50 feet to a stake in the westerly side of an old mill race; thence along said old mill race, thence along said old mill race, South 20 degrees 26 minutes 10 seconds East 68.50 feet; thence South 39 degrees 04 minutes 30 seconds East 89.70 feet; thence South 43 degrees 23 minutes 30 seconds East 42.50 feet; thence South 56 degrees 14 minutes 30 seconds East 40 feet; thence South 80 Degrees 21 minutes 30 seconds East 16 feet; thence South 17 degrees 50 minutes 30 seconds West 84.87 feet to the Pipetown Hill Road; thence North 79 degrees 34 minutes 30 seconds West 345.41 feet; thence on a westerly curve to the north, having a radius of 452.57 feet a distance of 150.34 feet; thence North 60 degrees 32 minutes 30 seconds West 75.70 feet along the northerly side of Pipetown Hill Road to the point of place of beginning. Containing 2.754

SECOND PARCEL:

BEGINNING at a point on the southerly side of the public road running from Spring Valley to Helder's Coerners, commonly known as the Pipetown Hill Road, said point being at the northeast corner of land now or formerly of D. & S. Both and the northwest corner of the parcel herein intended to be described; thence southerly along said land now or formerly of Roth South 30 degrees 01 minutes 10 seconds West 142.05 feet; thence North 59 degrees 58 minutes 50 seconds West 61.00 feet to a point in line of lands of Singer; thence southerly along land of Singer South 10 degrees 24 minutes 10 seconds West 343.70 feet; thence South 81 degrees 40 minutes 40 seconds East 124.15 feet; thence south 13 degrees 48 minutes 30 seconds West 467.20 feet to a point in lands of Beijack Realty Corp. South 84 degrees 51 minutes 40 seconds East 455.65 feet across an easement of the Orange & Rockland Utilities; thence North 11 degrees 18 minutes 00 seconds East a distance of 818.56 feet along lands now or formelry of Ebar to a point on the southerly side of Pipetown Hill Road; thence North 79 degrees 34 minutes 30 seconds West 204.03 feet; thence on a curve to the right, a radius of 502.57 feet, a distance of 166.35 feet; thence North 60 degrees 32 minutes 30 seconds West a distance of 94.99 feet to the point or place of beginning. Containing 9.377 acres.

Schedule A of said petition is hereby amended to include the following:

THIRD PARCEL:

BEGINNING on a cross mark in the center line of the concrete road bed of the Nyack Turnpike, it being the northwest corner of the lot herein intended to be described and in a line of lands of Amy Sheenan; thence along the lands of Sheenan South 35 degrees 24 minutes West 66.5 feet to a large white oak tree at a corner in a line of lands of L. Singer; thence along the same South 15 degrees West 109.5 feet to an iron pipe on a corner; thence along the same South 87 degrees 13 minutes East 60 feet to a stake on a corner; thence along the same South 10 degees 53 minutes West 30.5 feet to a stake at a corner; thence along the lands of Amy Sheenan South 58 degrees 52 minutes East 61 feet to a stake at a corner; thence still

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along the lands of Amy Sheenan North 71 degrees 3 minutes East passing west of a spruce tree in the Nyack Turnpike 167 feet to a spike in the center line of the concrete road bed of the Nyack Turnpike, said point being also 453 feet westerly from the lands of Mrs. Helder; thence westerly through the center of the concrete road bed of the Nyack Turnpike 150.7 feet to the point or place of beginning.

## RESTRICTIVE COVENANTS AS FOLLOWS:

1. Petitioner to notify state of their plans and not do anything for six (6) months thereafter.
2. There shall not be more than 150 units.
3. Any land acquired for Rte. 45 and/or Rte 59 will be of summer colony valuations as currently indicated or Assessment Rolls at existing zoning.
4. 70% shall be 1-bedroom  
30% shall be 2-bedroom units  
No bedroom units in excess of 2.
5. Easements required by government or municipality be granted free of charge.
6. Petitioner to apply for fire hydrants.
7. Petitioner will pay into Town Recreation Fund sum stipulated by Planning Board predicated on formula yet to be devised.
8. Site Plan Review shall include recreational facilities.

Seconded by Councilman Holbrook.

All voted Aye.

(725) Councilman Damiani offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 15<sup>th</sup> day of June, 1966, provided for a public hearing on the 3<sup>rd</sup> day of August, 1966 at 8:30 P.M., to consider the application of FRANCIS X. FOLEY 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 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 for reasons of public health, safety and welfare, the Building Zone Ordinance of the Town of Clarkstown be it and hereby is amended by redistricting from an RA-1 district to an LS 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 buildings and improvements thereon erected, 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 west side of North Middletown Road, said point being the northeast corner of premises now or formerly of W. Renart and the southwest corner of the premises herein intended to be described running thence;- (1) along said lands now or formerly of W. Renart, North 73 degrees 37 minutes 50 seconds, 473.38 feet to a monument and lands now or formerly of W. M. Evans; thence (2) Along said lands, North 70 degrees 29 minutes 20 seconds, 80.18 feet to a monument; thence (3) Still along said lands, South 78 degrees 20 minutes 50 seconds West, 131.22 feet to the east side of Burda Lane; thence (4) Along the east side of Burda Lane, North 30 degrees 07 minutes 30 seconds West, 9.25 feet to an old iron pipe and lands of Chestnut Grove Estates; thence (5) Along said lands, North 78 degrees 23 minutes 10 seconds E, 359 feet to a stake; thence (6) Still along said lands North 77 degrees 34 minutes 10 seconds East, 457.39 feet to a stake in the west side of North Middletown Road; thence (7) Along the west side of North Middletown Road. South 23 degrees 25 minutes West, 340.43 feet to the point or place of BEGINNING.

## RESTRICTIVE COVENANTS AS FOLLOWS:

1. All easements, sewer, drainage, etc. and land required for road widening of Middletown Road, will be granted free of charge.
2. Petitioner agrees to restrict size to one (1) building; no additional buildings shall be constructed within the changed zone.

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3. Petitioner agrees to provide screening as required by Building Inspector.
4. It shall be restricted to the use of existing building and that no additions or extensions to the existing building is allowed.
5. Confined use to Medical Office Building only.

Seconded by Councilman Holbrook.

On roll call the vote was as follows:

AYES: Councilman Holbrook, Damiani, Frohling,  
Supv. Mundt.

NOES: Councilman Brenner. Motion carried.

(726) Councilman Holbrook offered the following resolution:

WHEREAS, Spring Valley Water Company Incorporated is desirous of granting easement to the Town of Clarkstown in connection with subdivision known as Rockland County Day School, subdivision of Green Valley Manor, Inc.;

NOW THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to execute an agreement with Spring Valley Water Company Incorporated of Spring Valley, New York, accepting a drainage easement from said Spring Valley Water Company Incorporated in connection with subdivision known as "Rockland Country Day School, subdivision of property of Green Valley Manor, Inc.

Seconded by Councilman Brenner.

All voted Aye.

Letter from Traffic Advisory Committee re flashing lights, West Nyack; Town Clerk instructed to refer to Highway Supt. and Chief of Police for their recommendations.

(727) Councilman Holbrook offered the following resolution:

RESOLVED that Orange & Rockland Utilities, Inc. is hereby authorized to install street lights in Normandy Village, Nanuet at annual increased cost of \$280.80.

Seconded by Councilman Frohling.

All voted Aye.

(728) Councilman Holbrook offered the following resolution:

WHEREAS, Tolstoy Foundation, Inc. has requested that the Town Board of the Town of Clarkstown on behalf of Sewer District No. 1, Extension 3, to grant an additional 90-day extension of the period in which the payment of sewer hook-up charges may be made to said Sewer District No. 1,

NOW THEREFORE, be it

RESOLVED, that the Tolstoy Foundation, Inc. is hereby granted an additional 90-day extension of the period in which sewer hook-up charges may be paid to Sewer District No.1, Extension 3, subject to the following conditions:

1. That it is understood that this additional period does not in any way affect the provisions of Paragraph 17 of the agreement made between the Tolstoy Foundation, Inc. and the Town of Clarkstown on behalf of Sewer District No.1, Extension 3, dated June 28, 1966.

2. That the Tolstoy Foundation, Inc. will be billed after the final adoption of the budget for the fiscal year commencing January 1, 1967 for the sum approximately \$762.25.

3. That a written confirmation be received from Tolstoy Foundation, Inc. agreeing to conditions land 2.

Seconded by Councilman Frohling.

All voted Aye.

(729) Councilman Frohling offered the following resolution: