

11/1/67

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Present: Councilman Holbrook, Brenner, Damiani, Frohling, Supervisor Mundt
Town Clerk Anne E. O'Connor
Town Attorney
First Deputy Town Attorney
Deputy Town Attorney

Supervisor Mundt called public hearing to order at 8:00 P.M.

(693) Councilman Damiani offered the following resolution:

RESOLVED, that minutes of one (1) public hearing and regular Town Board meeting held on 10/18/67 are hereby approved and accepted as submitted by the Town Clerk.

Seconded by Councilman Holbrook.

All voted Aye.

(694) Councilman Frohling offered the following resolution:

WHEREAS, resolution No. 647 was adopted at Town Board Meeting held on October 31, 1967, appointing George Conklin, of 37 Van Orden Avenue, Suffern, New York, to the position of Police Patrolman, and

WHEREAS, a letter was received from said George Conklin on November 1st, 1967 declining said appointment,

NOW THEREFORE, upon recommendation and at the request of Chief of Police Ernest Wiebicke,

BE IT RESOLVED, that said resolution of appointment #647 be and the same is hereby rescinded.

Seconded by Councilman Holbrook.

All voted Aye.

(695) Councilman Holbrook offered the following resolution:

RESOLVED, that the road running from Demarest Mill Road to the new Clarkstown Highway Garage, Bardonia, N. Y., be named Seeger Drive.

Seconded by Councilman Frohling.

All voted Aye.

Mr. Anthony Wonsala appeared before Town Board re destruction of trees, etc., on his property by contractor doing work on improvement. Would like to have property surveyed and stakes put in so extent of damage can be made; and payment for said damage be made to him. Town Engineer will look into matter and advise Mr. Wonsala, the Town Board and Mr. Suttie of outcome.

Re Wood-Knolls drainage problem: Town Engineer estimated cost at \$10,700. 400' of 44" pipe, plus surface catch basins involved. Four (4) property owners involved; not stagnant - just hazard to children as explained to him. (Road parallel to West Clarkstown Road). Further report on this matter will be made by the Town Engineer at the 11/15 Town Board meeting; easements would have to be checked; (no charge for the acquisition of easements).

Letter dated 10/31/67 received from Advisory Traffic Safety Committee from Chief of Police re flagrant violations being committed at Route 59, Larch Court and Brook Hill Dr. These violations have been cause of accidents, and need enforcement in order to insure the safety of the motorists using this area. Also notified Town Board that petition is being circulated in the Cherry Hill section of West Nyack concerning these flagrant violations, and they will subsequently be forwarded to the State, and possibly to the Town Board. Advisory Traffic Safety Committee informed the Chief of Police that copy of letter being forwarded to New York State Police Department; they requested that Chief of Police take whatever action he deems necessary. Police Chief will look into matter to ascertain what kind of violation they are referring to and report back to the Town Board.

(696) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to transfer from PARKS - MONEY IN LIEU OF LAND account to CLARKSTOWN HIGHWAY ACCOUNT, Item I, the amount \$1,024.58, for labor, material and rental of equipment for building the parking area at Route 303 Ballfield, West Nyack.

Seconded by Councilman Holbrook.

All voted Aye.

(697) Councilman Damiani offered the following resolution:

WHEREAS, the Town Engineer has requested additional assistance in his office for the period of time hereinafter stated, now therefore be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment of John J. Hill, 73 Old Haverstraw Road, Congers, N.Y. to the position of

Engineering Technician in the Town Engineer's Office at a salary of \$144.00 per week, effective & retroactive to Oct. 23, 1967 until November 1, 1967

Seconded by Councilman Holbrook

All voted Aye.

(698) Councilman Frohling offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified that the position of PRINCIPAL ENGINEERING TECHNICIAN in the Town Engineer's Office can now be established,

NOW THEREFORE BE IT RESOLVED that the position of PRINCIPAL ENGINEERING TECHNICIAN in said Engineer's Office be and the same is hereby established as of this date.

Seconded by Councilman Holbrook

All voted Aye.

(699) Councilman Holbrook offered the following resolution:

WHEREAS, the position of Principal Engineering Technician in the Town Engineer's Office has this day been established upon certification of the Rockland County Personnel Office, and there being no Eligibles List in said Office at present, and John J. Hill having indicated his willingness to accept a provisional appointment to said position, now therefore, upon recommendation of Frederick G. Busch, Town Engineer, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the Provisional Appointment, pending examination, of JOHN J. HILL, 73 Old Haverstraw Road, Congers, N.Y. to the position of Principal Engineering Technician in said Town Engineer's Office at a salary of \$7,488.00 per annum effective November 1, 1967.

Seconded by Councilman Damiani

All voted Aye.

(700) Councilman Damiani offered the following resolution:

RESOLVED, that upon the recommendation of the Building Inspector the "STOP WORK" order issued to MARVOY REALTY CORP. pending the correction of the faulty drainage conditions (under resolution #575 adopted by Town Board on 9/20/67) is hereby rescinded.

Seconded by Councilman Holbrook

All voted Aye.

Town Attorney notified Town Board that Site Review Ordinance was declared unconstitutional; is filing notice of appeal. He also stated that Planning Board agrees with amendment as submitted by Town Attorney.

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(701) Councilman Holbrook offered the following resolution:

NOTICE OF PUBLIC HEARING ON
CHANGE OF BUILDING ZONE ORDINANCE
OF THE TOWN OF CLARKSTOWN

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Clarkstown, Rockland County, New York, at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple avenue, New City, Rockland County, New York, on 29th day of November, 1967, at 8:15 P.M., to consider a change to the Building Zone Ordinance of the Town of Clarkstown as follows:

By deleting present Section 8.225 and substituting the following therefor:

Sec. 8.225. Site Plan Required. No building permit or special permit shall be issued for any use other than a one or two family dwelling except for a building or use that is in conformity with a site development plan approved by the Planning Board and no certificate of occupancy shall be issued until all of the requirements of this section and all other applicable provisions of this ordinance have been met.

Sec. 8.225. (A) Application for Site Development Plan Approval. An application for a building permit or a special permit for any structure, building or use other than a one or two family residence, shall be referred to the Planning Board by the Building Inspector or Zoning Board of Appeals within five days after the Building Inspector or Zoning Board of Appeals receives said application; and said application shall contain those items required by the Planning Board pursuant to Site Plan Development Specifications adopted by the Planning Board as provided in paragraph "E" of this Section, including but not limited to:

(1) A map showing the parcel in relationship to adjacent parcels, railroads, streams, all drainage and water courses, street right-of-way and street intersections, and all other structure uses or marking as indicated on any official map hereafter adopted by the Town of Clarkstown.

(2) A map of the entire parcel showing: the location, dimensions, and the proposed use of all buildings, parking and loading areas and access and egress thereto; all site improvements including proposed grades, walkways, driveways, lights, fences, walls, signs, drainage facilities, benches, and landscaped areas, including trees and other plantings, and all other structures and improvements other than the natural state of the land.

Sec. 8.225. (B) Planning Board Action and Standards to be Considered. Within 90 days of the receipt of the application the Planning Board shall render a decision to the Building Inspector or Zoning Board of Appeals. If no decision is made by the Planning Board within said 90-day period the site development plan shall be considered approved. When acting upon said application the Planning Board shall consider the site plan in relation to: the provisions and intent of this section of the Zoning Ordinance and of the Town's Master Plan, as adopted by the Planning Board; the relationship between the principal buildings and structures on the parcel and all necessary buildings, structures and uses; the convenience and safety of the parking and loading areas and the interior circulation systems and the access to public streets; the adequacy of walkways between principal buildings and accessory structures and uses including parking areas; the adequacy of drainage facilities; the proper placement and kind of landscaping and lighting features to screen adjacent residential areas and streets from any potential nuisance features of the use of the parcel and such other criteria as directly relate to the health, safety and general welfare of the surrounding community.

Sec. 8.225. (C) Planning Board Referral. The Planning Board may request a review of the Site Development Plan by the Town Engineer or other department, official or agency of the Town

or the County Highway Department or County Planning Board which shall be rendered within the 90-day period cited in subsection "B" above.

Sec. 8.225. (D) Planning Board Initiative. The Planning Board may, on its own initiative, propose a general or specific site plan for a particular area where a site development plan approval may be required in the future, using the requirements of this Ordinance as a guide, or may waive the provisions of this section when, in its opinion, site review is not necessary.

Sec. 8.225. (E) Site Plan Development Specifications.

(1) The following information must be submitted in conjunction with any application for a building permit or special permit requiring site development plan approval:

- a. An area map at a convenient scale, which shall include railroads, streams, street rights-of way, and street intersections; the location of the proposed development in relation to the nearest public roads on all four sides; all public improvements such as schools, firehouses, houses of worship, recreational areas, etc.
- b. A map of applicant's entire holding at a convenient scale.
- c. The names of all owners of record of adjacent property.
- d. Existing school, zoning, and special district boundaries, within 500 feet of the tract.
- e. Boundaries of the property and existing lot lines as shown on the existing tax map.
- f. Existing public streets, easements, or other reservations of land.
- g. A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.
- h. Location of all existing structures on the site as well as those on adjacent properties within 100 feet of subject lot line.
- i. The proposed location and use of any building or structure.
- j. The proposed location of any use not requiring a structure, including walkways, benches, fences, recreational facilities.
- k. Plans and elevations of all proposed buildings or structures, or accessory structures, including all proposed outdoor signs.

1. All existing and proposed means of vehicular access egress to and from the site.
- m. Location and design of all driveways, parking and loading areas.
- n. Location of all existing and proposed waterlines, valves and hydrants, and all sewer lines.
- o. Proposed storm water drainage system.
- p. Proposed fencing, screening and landscaping.
- q. Proposed location, direction, and type of outdoor lighting.
- r. Existing and proposed contours with intervals of 5 feet or less extending 50 feet beyond the tract.
- s. Location of existing water courses, wooded areas, rock outcrop, and single trees with a diameter of 12 inches or more measured 4 feet above the ground level.
- t. Where the applicant wishes to develop the project in stages, a site plan indicating ultimate development shall be presented for approval.
- u. The Planning Board may require additional data where it is warranted due to special conditions of the site or complexity of the proposed development.

(2) - These specifications may from time to time be amended or modified by the Planning Board. All amended or modified specifications shall be approved by the Town Board in conformity with the procedure for amendment of the Zoning Ordinance;

NOW THEREFORE, 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 29th day of November, 1967 at 8:15 P.M., relative to such proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of statutory hearing and that the Town Clerk cause the same

to be published in the Journal News, the official newspaper
of the Town of Clarkstown, and file proof thereof in the
office of the said Town Clerk.

Dated: November 1, 1967

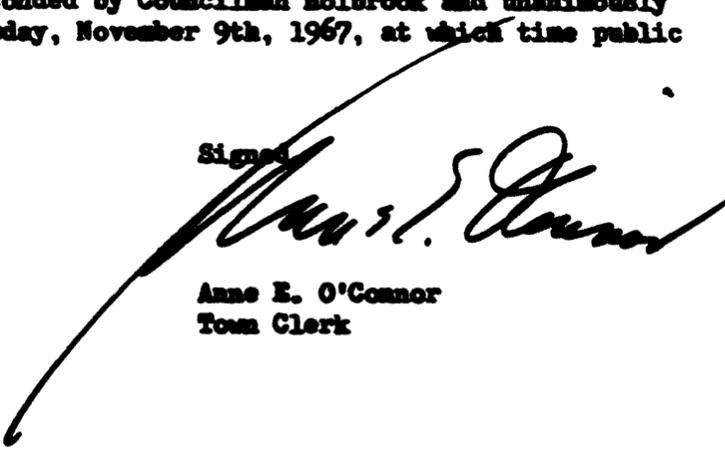
ANNE E. O'CONNOR
TOWN CLERK
TOWN OF CLARKSTOWN

DONALD S. TRACY
TOWN ATTORNEY
TOWN OF CLARKSTOWN
10 Maple Avenue
New City, New York

Town Attorney informed Town Board that Mr. Suttie has given recommendation re the situation on Carmen Drive; but as yet his office has not been able to check out with home-owners on Carmen Drive. Matter will be taken up on the 9th of November, after residents have expressed their opinions.

On resolution offered by Councilman Brenner, seconded by Councilman Holbrook and unanimously adopted, Town Board meeting was adjourned until Thursday, November 9th, 1967, at which time public hearing will be held on 1968 Town Budget.

Signed



Anne E. O'Connor
Town Clerk

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