

Town Hall

11/15/67

8:15 P.M.

Present: Councilman Holbrook, Brenner, Damiani, Supervisor Mundt  
 Town Attorney  
 First Deputy Town Attorney  
 Deputy Town Attorney  
 Town Clerk

RE: PROPOSED ZONE CHANGE APPLICATION - S.A. & W. MASON CONTRACTORS, INC.  
PROPERTY LOCATED W/S NORTH MIDDLETOWN ROAD, NANUET; - R-15 to RS

Supervisor called public hearing to order. Town Clerk read notice of public hearing.

Supervisor mentioned that four man vote in favor necessary to grant; petition filed against which brings application within provisions of Sec. 265 of Town Law.

CLARKSTOWN PLANNING BOARD RECOMMENDATIONS: (Letter dated 11/15/67):

Matter restudied due to receipt by Planning Board of petition with 123 names protesting to subject zone change. (in Town Clerk's folder).

RECOMMENDATION I: That the property of S.A. & W MASON CONTRACTORS, INC. (NANUET) be rezoned from R-15 to RS in order to tie in with character of the majority of abutting property.

RECOMMENDATION II: That Special Permit for Gas Station be granted in the clear understanding that the Site development be subject to all the requirements of the existing Site Layout review Regulations of the Town of Clarkstown.

Member of audience stated that since Martin Cornell, attorney for petitioner is County Attorney and Stephen Doig is Chairman of the Charter Commission; mater of their firm appearing as attorney for petitioner should be investigated by Code of Ethics Board.

Town Attorney stated that he investigated most of the decisions in the area of conflict of interest - in this case, no conflict of interest exists.

Supervisor Mundt stated that he would address a letter to the Ethics Board raising the question of conflict; requested that person raising subject address letter re same to his office (Chair ruled that hearing proceed.)

J. Martin Cornell appeared as attorney for petitioner and stated the following:

Property located on west side of North Middletown Rd., approximately 1000' north of interection of North Middletown Road and Route 59, at four corners. Frontage of approximately 228' depth of 267', tapers down in the back to a lesser width. Area of property; over 40,000 square feet.

Request is for change of zone to RS - Regional Shopping Center zone; and in addition, for Special Permit for erection of filling station.

Surronding zones: South - Regional Shopping Center zone across street.  
 Southwest - Regional Shopping Center  
 North - Residential - (R-15)

Presently located on premises is single family residence. Further to the south, location of furniture store ( Huffman & Boyle).

Proposed relocation on construction of four corners. Presented copies of posposed layouts of intersecion. Construction at intersecion will eliminate two existing service stations. One on northwest corner; one on northeast corner where there presently is a garage and automobile dealership

A third station on the east side of North Middletown (identical); it is not clear whether or not this station will be eliminated. Result will be that the nearest gas station to the west will be on top of hill on Route 59 at traffic light going westerly. To the east there will not be one until you get down to Route 303. Going north, except for Atlantic Station, which may remain on the east side, thereis no gas station until the shopping center and Davies Lake. Going south on North Middletown Road, the closest station will be in Nanuet itself.

Station itself will be laid out in accordance with a proposed site

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plan (submitted to Board) made part of record. (Presented rendering of station layout)

Architectural Review Board: Applicant willing to appear before same to receive any suggestions they may have. Two island pumps in front set back from street. Structure will have three movable doors in the front and will be substantially similar to rendering...

Safety factor along North Middletown Road; Will construct sidewalk in front of station so school children will be adequately protected.

WITNESS I: Mr. Frank Mascola, Wheeler Place, West Nyack: (Sworn in by Supervisor): Stated the following:

Property in question is ideally located as to transportation; public water on site; septic system at present - will connect with sewers; fire and police protection available. No obnoxious fumes of smoke; will enhance land values in vicinity - value of land will increase as it has the three pieces of property south of this property which have been zoned RS and they have already increased the value of these lots.

Will not impair health of community in general.

On questioning by Supervisor, Mr. Mascola stated he had interest in property; re construction cost, he stated Engineer for oil company indicates that construct cost, without equipment, will be \$60,000.00; which does include the land, just the building construction itself.

Petitioner willing to sign restrictive covenant requiring site review. Easements will be granted free of charge for buffer zone and widening of road; or sewer lines.

WITNESS II: Mr. Abram Simoff, 134 Evergreen Place, East Orange, N.J.: (Traffic Consultant and Parking Consultant):

Stated qualifications, Has made analysis of site as follows: Traffic Count taken 11/7/67 between hours of 8:00 A.M. - 6:00 P.M. - 10,436 vehicles passed site; 5,348 northbound and 8,088 southbound. Between 4:00 P.M. - 5:00 P.M., 715 vehicles northbound, and 688 vehicles southbound. Classified as "heavy". Service station use compatible - no heavy parking demand. (Chart and letter in Town Clerk's file).

No further questions of Mr. Simoff; no further witnesses.

Mr. Cornell made two closing statements at this time:

1. Proposed use in compatible with commercial development in area, being located in vicinity of major shopping centers.
2. Traffic pattern in area. as it will develop, will in no way be affected adversely by location of the filling station.

Question: Mr. Edelstein: Corporation or individual? Answer S A & W Mason Corp. is applicant; they have made arrangement with Chevron who will erect proposed station. Chevron Oil Co. will construct - they will lease it to a tenant.

Principal investors of S A & W are; Messrs. Gluttman, Blasack, Mascola and Petrillo

IN FAVOR: No one appeared

Mrs. Betty Beck, 22 Spruce Lane, West Nyack: Difference between a filling station and a gasoline service station - clarify.

Mr. Cornell: Seeking gasoline filling station- Ordinance provides that all major repairs are made within a totally enclosed structure; a minimum of five currently licensed vehicles can be parked on lots of one acre and one additional car can be parked on additional 1/5 acre, etc. We are petitioning for a service station

Re Traffic County -(Made 11/7/67 between 8AM & 4PM - not ture - traffic heavy 5 AM.

Mr. Allen Sprohl, 31 Palmer Ave.: Close to this location. Mrs. Rego, Pastor

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of St. Anthony's Church opposes. Concerned with safety of students walking along sidewalk; six curb cuts involved, one at Mobil Station, one at southern most end of Grandway shopping plaza and one at new extension to Grandway. 25% additional hazard by adding this service station.

Re Traffic Count: Election Day - not true picture of actual daily traffic along Middletown Rd.

Re 3 existing service station within 2/10 mile from this locating being eliminated; if state, some time in future desires to widen 59, etc. spurious reasoning. Named filling stations in immediate area. (15 filling stations presently in business within one mile of this location.

Two already approved filling stations within one mile of this location. Planning Board also considering another filling station at proposed Sears-Macy complex.

Traffic: Proposed location of Nanuet Post Office is now already in planning stage to be constructed diagonally opposite this particular parcel, immediately north of Huffman & Boyle This would bring traffic on to North Middletown Road.

Re Proposed map- North Middletown Road is in the future to be expanded to four-lane highway with a pull-off lane. It is good business to grant a down zoning that will considerably appreciate the value of land that must be taken for condemnation.

Re Planning Board recommendation: questions validity of same - Never notice of hearing which was held by said Board.

Re Planning Board: Prior application excluded use of this property as filling station. They recommended only use would be professional building.

Board removed as RS plot on new zoning map. Board removed this plot as RS and re-zoned it as R-15.

Mr. Harry Edelstein: (Representing Nanuet Hebrew Center): Hebrew Center opposed. Traffic 11/7/ not realistic. Need for filling station not expressed by community. Surrounding area will end up commercial. Rockland County Planning Board never reviewed. (Town Board will look into).

Dr. Gad Hakarem, Nanuet: (Representing North Nanuet Civic Association): Adhere to previous decision. Leave area R-15.

James Mahoney, 87 Laurel Road, New City: Traffic count not realistic (11/7 Election Day). Questioned legitimacy of County Attorney appearing for petitioner.

(PEOPLE IN AUDIENCE SIGNED SHEET OPPOSING PETITION - IN TOWN CLERK'S FOLDER 40 SIGNATURES)

Mr. George Katuck, 15 New Haven Ave. (near RR): Opposed, Will effect residential area - will result in additional downzoning until whole area is downzoned.

Reverend Bullard; 16 New Haven Avenue, Nanuet: Opposed. Delayed now on emergency calls. Danger to children.

Mr. Richard Shary, 8 New Haven Ave: Opposed. Congestion. Traffic at 4-corner heavy on weekend. In middle of day you cannot pull out of New Haven Avenue, Construction of Sears shopping center proceeding - this will also create traffic problems. Safety of school children walking down New Haven will be endangered further.

Mr. Michael Maloney, 11 Spencer Pl. Nanuet; No Need.

Mr. Louis Pisha, 13 New Haven Ave.: Questioned traffic count on Election Day. One day count not enough in any case. Re Counter on road - cars avoiding 4 corners - count would go down. Re gas stations that are going to be torn down - it is not known as yet what state will or will not do. OPPOSED.

Parking & Traffic Consultant,

(Mr. Simoff, in answer to question from audience, stated that traffic count was taken manually, with counter)

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County of 10,000 cares taken manually was questioned; Mr. Hakarem stated that validity of such a county be rejected.

Mr. Joseph Murphy, 3 Birch, Nanuet: 20 gas stations in area; not 16. (Three corner of Ludvigh and Smith). Re buffer - Grandway - complete mess - garbage dumped. Only buffer we have now is property immediately north of Rockland Plaza. This is just another encroachment on residential area; safety hazard.

Mr. Donald Williams, 11 New Haven Ave., Nanuet: Re Sewers: Overflow in house on property now.

(Mr. Edelstein repeated that County Planning Board should also make recommendation.)

Mr. Paul Donahue, 17 Nanuet: Re need - gas station in area not making out well.

(Town Attorney stated at this point that this petition did not require referral to County Planning Board).

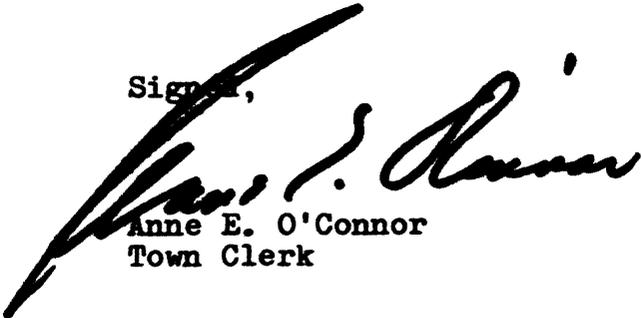
REBUTTAL: Mr. Cornell

RE traffic count: Petitioner willing to conduct traffic count any day of week to verify figures or submit any additional information Town Board may desire.

On resolution offered by Councilman Brenner, seconded by Councilman Holbrook and

On resolution offered by Councilman Holbrook, seconded by Councilman Brenner and unanimously adopted, public hearing was closed.

Signer,



Anne E. O'Connor  
Town Clerk

Public Hearing

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Town Hall

11/15/67

8:30 P.M.

Present: Councilman Holbrook, Brenner, Damiani, Supervisor Mundt  
Town Attorney  
First Deputy Town Attorney  
Deputy Town Attorney  
Town Clerk

RE: PROPOSED LOCAL LAW ESTABLISHING AN HISTORICAL REVIEW BOARD WITHIN  
THE TOWN OF CLARKSTOWN:

Supervisor called public hearing to order. Town Clerk read notice of public hearing.

Supervisor informed public that Town of Orangetown has already adopted.

Town Attorney explained local law as follows: Three-member Board appointed by the Town Board. Qualifications of appointees must be met in architecture, history of town, interest in historical things! This Board then investigates and compiles information on various locations in town w which they consider has historic information. The area could be designated (by metes and bounds) as Historic Area.

Building Inspectoris deterred from issuing building permit until he has recomendation of this Historical Reavew Board.

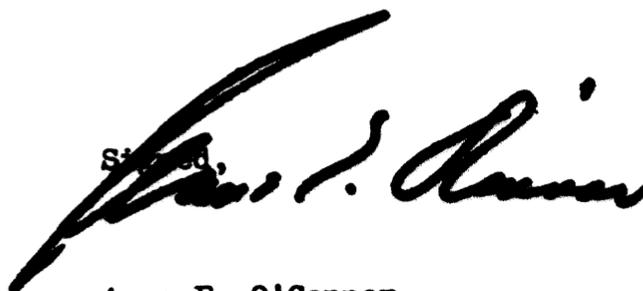
IN FAVOR: John Mackey, West Nyack: Hamlet Development Board has been considering site in center of West Nyack. Will preserve our historical site in Clarkstown.

OPPOSED: Robert Orth, New City: Charter Member of Architectural Review Board:

Overlaps jurisdiction of Architectural Review Board. (Re Sec. VI: Exclusivity: Exempt from provision of local law 1-1965 -- so does not overlap). Town Attorney Stated that we are substituting in designated areas, Historical Review Board for Architectural Review Board.

Mr. Orth request that Architectural Review Board review before adoption.

On resoluton offered by Councilman Holbrook, seconded by Councilman Brenner and unanimously adopted, public hearing was closed.



Anne E. O'Connor  
Town Clerk

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## Public Hearing

Town Hall

11/15/67

8:45 P.M.

Present: Councilman Holbrook, Brenner, Damiani, Supervisor Mundt  
 Town Attorney  
 First Deputy Town Attorney  
 Deputy Town Attorney  
 Town Clerk

RE: PROPOSED LOCAL LAW REQUIRING STAGED CONSTRUCTION IN SUBDIVISION DEVELOPMENT:

Supervisor called public hearing to order. Town Clerk read notice of public hearing.

In response to question put by Mr. Yale Rapkin, New City, Town Attorney stated that if limit of 50 homes per year would ease hardship advantage could be taken of waiver condition of this proposed local law. Mr. Rapkin stated that where a builder has interest in several corporations, something should be done to crystalize this further.

Elliott Eichler, College Road, Monsey: Inquired if restriction would be applied to him as land developer, or would each separate subdivision or parcel of land stand on its own right. Town Attorney: As law is now written, it would apply to him as land developer. (Discriminatory if owns three parcels).

Mr. Martin Bernstein, in answer to question, was informed that there is no cumulative provision.

Mr. Kenneth Torsoe, Monsey, N.Y.: was informed that units apply to both Garden Apartments Units of 50 Residences.

Mr. Frank Strauss: In favor of five out of 7 provisions in proposed local law. 450 residences built last year in Clarkstown; 700 year before. Last year Clarkstown Central school District pickup 900 students. Tax Rate in school district went up 12%. According to Chairman of Clarkstown Planning Board, 12,000 residences can be built in Clarkstown under present ordinance. 25% of that 12,000 can be built in one year.

Against Sec. II: Maximum number of residences must be set; a specific number for the entire town for the year. For example - 500 buildings. This number of residences can be allotted on basis of applications from builders which may be received in designated month of each year. Building permits could be issued on basis of lottery. Also, something should be included disallowing developer to clear more land than he is going to use in any given year.

Re Section VI: Waiver: Compare hardship to the developer with hardship to the town should he be given building permits for all homes he wishes to construct.

Co. Holbrook: Hardship must be proved.

Mr. Joseph Adler, Monsey, New York: Give more study. Check growth for last tow years. Will create hardship for builders. (If restricted, purchased land will have to sit until builder allowed to continue construction - taxes, etc.)

Mr. Mackey: In favor - School taxes going up.

Mr. Howard Beck: Opposed: (President of Rockland County Builders Association) 13 Park Avenue, New City:

If the change is to be made to 25% or 50 units, whichever is greater, last paragraph would have to be adjusted to conform.

Re Sec. IV: Building Inspector can reject building permit. At what point does violation exist? Places Building Inspector in awful spot what position does Town Attorney take?

Re. Sec. III: Building Inspector is directed to reject issuance of certificates of occupancy upon recommendation of the Planning Board. Questions this -

This proposed law invitation to the employment of several methods

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of avoidance Fraud upon town by builder.

Supervisor instructed Mr. Beck to write letter to Town Board with his suggestions before December 1st.

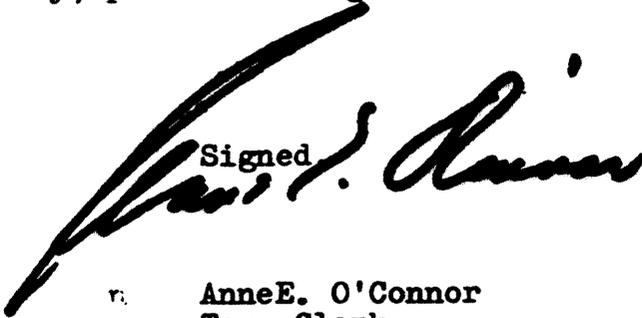
IN FAVOR: Walter Plotnick, Valley Cottage: Accept and adopt this proposed local law reflects understanding of problems of chaotic building in town.

Yale Rapkin: Would be confiscatory - opposed.

James Mahoney: Intent good - but no need. Should have been part of zoning law which was proposed in June

On resolution offered by Councilman Brenner, seconded by Councilman Holbrook and unanimously, public hearing was closed.

Signed



r. Anne E. O'Connor  
Town Clerk

Town Hall

11/15/67

8:00 P.M.

Present: Councilman Holbrook, Brenner, Damiani, Supervisor Mundt  
Town Clerk Anne E. O'Connor  
Town Attorney Donald S. Tracy  
First Deputy Town Attorney Murray N. Jacobson  
Deputy Town Attorney Neal M. Hirshfeld

Absent: Councilman Frohling

Supervisor Mundt called Town Board meeting to order.

(707) Councilman Brenner offered the following resolution:

RESOLVED, that minutes of one (1) public hearing and regular Town Board meeting held on 10/31/67; minutes of regular Town Board meeting held on 11/1/67; and minutes of one (1) public hearing and regular Town Board meeting held on 11/9/67 are hereby approved and accepted by the Town Board as submitted by the Town Clerk.

Seconded by Councilman Damiani.

All voted Aye.

Town Board signed Order setting date of public hearing re extension of Clarkstown Consolidated Water District #1 to include Frances Estates, New City- 11/29/67 - 8:30 P.M. (Order on page 3)

Town Clerk informed Town Board that joint public hearing with Ramapo, Clarkstown and Haverstraw on petition of Moleston Fire District and Tallman Fire District for a change of boundary will be held on Monday, November 20<sup>th</sup>, 1967 at the Ramapo Town Hall at 8:00 P.M.

Letter from New City Civic Association re development of Civic and Commercial Center of New City noted by Town Board. Referred to the Clarkstown Planning Board for recommendation.

Town Board signed the following Performance Bonds, approving same as to form and sufficiency:

Great American Insurance Co., Bond No. 223 75 03  
WILLIAM W. LANDA, Principal (ROLLING HEDGE -SECTION II)  
Amount: \$23,000.00  
Covers: Roads and drainage easements  
Pd. Covered: Two (2) years - 11/15/67 - 11/14/69

Great American Insurance Co. Bond No. 223 75 02  
WILLIAM W. LANDA, Principal (ROLLING HEDGE - SECTION II)  
Amount: \$10,000.00  
Covers: Sewers  
Pd. Covered: Two Years - 11/15/67 - 11/14/69

Councilman Holbrook joined Town Board meeting at this point.

(708) Councilman Damiani offered the following resolution:

RESOLVED, that the Supervisor be and he is hereby authorized to withdraw from "PARKS- MONEY IN LIEU OF LAND" account the amount \$42000 and deposit same in General Fund "parks account" and that the bill submitted by Mike Abaneo for bulldozing work on town-owned property on Brewery Road, New City, New York, for recreational purposes for the amount of \$420.00 be paid.

Seconded by Councilman Brenner.

All voted Aye.

(709) Councilman Damiani offered the following resolution:

RESOLVED, that members of the Clarkstown Police Department be and they are hereby authorized to attend the Firearm Training School at Camp Smith, Peekskill, New York, on November 13, 15, 22 and 29, 1967, and be it

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(709) continued

FURTHER RESOLVED, that the necessary expenses in connection therewith be a Town charge.

Seconded by Councilman Brenner.

All voted Aye.

(710) Councilman Holbrook offered the following resolution:

RESOLVED, that upon recommendation of Police Chief Ernest Wiebicke, that YIELD signs be placed at the intersections of Fairview Avenue and Convent Road, Nanuet and Fairview Avenue and Prospect Street, Nanuet, so that North and South Bound traffic on Fairview Avenue will yield to traffic on Convent Road and Prospect Street, and be it

FURTHER RESOLVED, that the Town Highway Department be instructed to install the necessary signs.

Seconded by Councilman Brenner.

All voted Aye.

(711) Councilman Holbrook offered the following resolution:

RESOLVED, upon recommendation of Police Chief Ernest Wiebicke, that the Town Clerk of the Town of Clarkstown shall advertise for bids for thirteen (13) 1968 Police Patrol Cars, trading a total of twelve (12) cars; ten (10) 1967-4 door sedans and two (2) 1966 4-door sedans; said bids to be opened on the 30th day of November, 1967, at 1:05 P.M.; that the notice of said bids be published as required by law; and that specifications prepared by the Chief of Police of the Town of Clarkstown shall be made available at Police Headquarters, Town of Clarkstown, from the Chief of Police.

Seconded by Councilman Damiani.

All voted Aye.

(712) Councilman Damiani offered the following resolution:

RESOLVED, that regular Town Board meeting is hereby adjourned in order to hold scheduled public hearings.

Seconded by Councilman Brenner.

All voted Aye.

(713) Councilman Holbrook offered the following resolution:

RESOLVED, that regular Town Board meeting is hereby resumed, public hearings having been held.

Seconded by Councilman Damiani.

All voted Aye.

(714) Councilman Brenner offered the following resolution:

RESOLVED, that decision on application for Zone Change and Special Permit made by S. A. & W. MASON CONTRACTORS, INC. for property located on West side of North Middletown Road, Nanuet R-1 to C-2 be reserved.

Seconded by Councilman Holbrook.

All voted Aye.

(715) Councilman Holbrook offered the following resolution:

(See page 4 for attached Local Law No. 9, 1967.)

Seconded by Councilman Brenner.

All voted Aye.

(716) Councilman Damiani offered the following resolution:

RESOLVED, that the decision of Proposed Local Law requiring staged construction in subdivision development is reserved.

Seconded by Councilman Holbrook.

All voted Aye.

ROCKLAND COUNTY, NEW YORK

In the Matter of the Petition for

Extension of the Clarkstown Consolidated Water Supply District #1  
District to include Property of Robert Bowman (Frances Estates)  
ORDER  
EXTENDING  
DISTRICT

In the Town of Clarkstown, Rockland County, New York

A petition in this matter for the extension of the Clarkstown Consolidated Water Supply District #1 ~~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 30th day of November 1967, for the hearing of all persons interested in the matter on the 20th day of December 1967 at 8:30 P.M. E.S. Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Hearing by the said Board having been duly held at such time and place, and it having been duly resolved and determined following such hearing that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all the property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted 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 Clarkstown Consolidated Water Supply District #1 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, described as follows;  
(INSERT DESCRIPTION)

DATED December 20, 1967

James K. [Signature]  
Councilman  
[Signature]  
Councilman

[Signature]  
Supervisor  
[Signature]  
Councilman  
[Signature]  
Councilman

STATE OF NEW YORK OF COUNTY OF ROCKLAND  
TOWN OF CLARKSTOWN

SS:

I, ANNE E. O'CONNOR, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order Extending Clarkstown Consolidated Water Supply Dist. 1 With the original now on file in said office, and find same to be a true and correct transcript therefrom and of the whole or such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 21 day of Dec. 1967.

[Signature]  
Town Clerk

CCJ301

DESCRIPTION OF FRANCES ESTATES  
NEW CITY, TOWN OF CLARKSTOWN,  
ROCKLAND COUNTY, NEW YORK

Submitted by Robert H. Bosman

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

BEGINNING at a monument on the westerly side of Strawtown Road as it exists, which monument is located at the intersection of the westerly line of Strawtown Road with the northerly line of Cairnsuir Lane and running thence; (1) along the northerly line of Cairnsuir Lane North 85 degrees 07 minutes 30 seconds West 149.98 feet to a point, thence along lands now or formerly of D'Antoni the following 3 courses and distances; (2) North 9 degrees 53 minutes 30 seconds East 118.00 feet; (3) North 34 degrees 50 minutes 40 seconds West 112.21 feet and (4) North 65 degrees 08 minutes 30 seconds West 277.53 feet to a point in the easterly line of lands now or formerly of Clarkstown Central School District No. 1, thence along said lands the following 2 courses and distances; (5) North 9 degrees 53 minutes 30 seconds East 63.43 feet to an iron pipe and (6) North 14 degrees 28 minutes East 393.40 feet to an iron pipe situated in a corner of a stone wall thence; (7) along the southerly line of lands now or formerly of H. K. Vanderhoff South 73 degrees 34 minutes East 354.36 feet to an iron pipe thence along lands now or formerly of A. Messer the following 2 courses and distances; (8) South 12 degrees 25 minutes 30 seconds West 100.00 feet to an iron pipe and (9) South 73 degrees 34 minutes East 143.00 feet to an iron pipe in the westerly line of Strawtown Road thence; (10) along the westerly line of Strawtown Road South 12 degrees 25 minutes 30 seconds West 556.01 feet to a monument being the point or place of BEGINNING.

NOTE: The above description is taken from preliminary subdivision map of Frances Estates, Town of Clarkstown, New City, Rockland County, New York dated September 12, 1967 made by William A. Yuda, West Nyack, New York.

"SCHEDULE A"

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TOWN OF CLARKSTOWN

LOCAL LAW NO. 9 - 1967

LOCAL LAW ESTABLISHING AN HISTORICAL  
REVIEW BOARD WITHIN THE TOWN OF  
CLARKSTOWN

Be it enacted by the Town Board of the Town of Clarkstown,  
State of New York, as follows:

Section 1. LEGISLATIVE INTENT

The purpose of this local law is to promote the public welfare, to preserve the historical character of certain areas to be designated within the Town of Clarkstown, to prevent the impairment of or injury to their architectural and cultural value to the community, and to provide that a reasonable degree of control may be exercised over the architectural design, construction, alteration and repair of buildings, signs or other structures erected in the areas designated as within the purview of this local law, in order that they may be in harmony with the style and spirit of the historical property presently situated there.

Section 2. CREATION AND ORGANIZATION OF HISTORICAL REVIEW BOARD

The Town Board is hereby authorized and empowered to create an Historical Review Board which shall consist of three (3) members who shall be especially qualified by reason of

training or experience in art, architecture, or by reason of demonstrated  
~~pass~~/interest in the history and historical preservation of sites within the Town of Clarkstown. The members of the Board shall be appointed by the Town Board and the Historical Review Board shall elect a chairman from its own members. The Town Board may provide for compensation to be paid to said members, experts, clerks and a secretary and provide for such other expenses as may be necessary and proper. The Town Board is hereby authorized to make such appropriation as it may see fit for such expenses, however, such expenses shall be a charge upon the taxable property of that part of the Town outside of incorporated villages. Of the members first appointed each one shall hold office for the term of one year. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the Town Board by appointment for the unexpired term. The members of the Historic Review Board shall serve at the pleasure of the Town Board. Meetings of the Historic Review Board shall be held at such times as the Board may determine and at such other times at the call of the chairman. Two members of such Board shall constitute a quorum for the transaction of business. All meetings of such Board shall be open to the public and the Board shall keep minutes of its proceedings, showing the vote of each member upon any question and shall also keep records of its examinations and official actions. The Board shall have the power to adopt, amend and repeal rules and regulations after a public hearing by the Historical Review Board and subject to the approval of the Town Board governing its procedure and the transaction of business. The Town Historian shall sit as an ex-officio member of the Historical Review Board.

Section 3. POWERS AND DUTIES OF THE HISTORICAL REVIEW BOARD.

The said Board shall have for its purpose the preservation of such buildings and structures in the Town of Clarkstown as, in the opinion of said Board, shall be deemed to have historical significance and value, and which buildings, structures, and areas should be preserved for the benefit of the people of the Town of Clarkstown.

The Historical Review Board is hereby authorized to designate certain areas or structures within the Town of Clarkstown not within the area of any incorporated village therein, which in the opinion of said Board shall have historical significance and value to the people of the Town.

Section 4. POWERS OF REVIEW WITHIN DESIGNATED AREAS.

Every application for a building permit in the Town of Clarkstown outside the incorporated areas, and within an area designated by the Historical Review Board, for the construction, reconstruction, or alteration of any structure located therein shall be referred by the Building Inspector to the Historical Review Board. The Building Inspector shall not issue a building permit for such a structure if any permit application has been disapproved by the Historical Review Board as provided in this local law. The Building Inspector may approve any application for a permit approved by the Board with modifications when the modifications specified by the Board have been complied with. If the Board shall have approved an application for a building permit, then the Building Inspector may issue a building permit, and if the Board has failed to act on an application for a building permit within 45 days after it has been referred to the Board, then the Building Inspector may issue a building permit.

Section 5. APPEALS.

An officer, department or board of the Town, or any person aggrieved by the action of the Historical Review Board in modifying and approving or disapproving an application for a building permit within a designated area and the Building Inspector for denying such permit because of such action by the Board, may take an appeal therefrom to the Zoning Board of Appeals in the same manner as provided by law for other appeals to the Zoning Board of Appeals.

Section 6. EXCLUSIVITY.

The foregoing provisions of this local law shall be exclusive within a designated area and an application subject to this local law shall be exempt from the provisions of Local Law No. 1-1965.

Section 7. EFFECTIVE DATE.

This local law shall take effect immediately.

(717) Councilman Brenner offered the following resoluton:

WHEREAS, a local law regulating garbage removal in the Town of Clarkstown will become effective January 1st, 1968, and

WHEREAS, the Town Board of the Town of Clarkstown desires to prevent the disruption of orderly garbage collection during the period ending January 1st, 1968;

NOW THEREFORE, be it

RESOLVED, that no new privileges for scavengers in the Clarkstown Sanitary Fill area be issued and only;the existing permits be renewed or kept in effect.

Seconded by Councilman Holbrook.

All voted Aye.

(718) Councilman Holbrook offered the following resolution:

WHEREAS, the Rockland County Personal Office has certified that the position of Sewer Inspector for the Sewer Department (Construction) can now be established,

NOW THEREFORE BE IT RESOLVED, that the position of SEWER INSPECTOR for said Department be and the same is hereby established as of this date.

Seconded by Councilman Damiani.

All voted Aye.

(719) Councilman Damiani offered the following resoluton:

WHEREAS, the position of Sewer Inspector, in the Sewer Department (Construction) has been established upon certification of the Rockland County Personnel Office, and Robert E. Ross having indicated his willingness to accept a provisional appointment to said position, there being no Eligibles List covering said position, now, therefore, upon recommendation of Frederick G. Bush, Sewer Superintendent, be it

RESOLVED, that the Supervisor be authroized to execute the necessary Civil Service form for the Provisional appointment, pending examination of ROBERT E. ROSS of 9 Hillside Avenue, West Nyack, New York, to the position of Sewer Inspector in said Sewer Department, at a salary of \$5,596.60 per annum effective immediately.

Seconded by Councilman Holbrook.

All voted Aye.

Town Board accepted resignation of Alfred Coffin Jr., effective 11/3/67 from position in Sewer Department with regret.

(720) Councilman Damiani offered the following resoluton:

WHEREAS, the Town Board has held a Public Hearing On October 9, 1967, re PROPOSED ROAD IMPROVEMENT OF LOUIS ROAD AND PORTION OF STANLEY ROAD, NEW CITY, NEW YORK, and

WHEREAS, temporary road repairs are needed at this time to Louis Road, now, therefore, be it

RESOLVED, that Fred J. Seeger, Superintendent of Highways, be and he is hereby authroized to make temporary road repairs on Louis Road, New City, an undedicated road at the present time, at a cost not to exceed \$400.00, and be it

FURTHER RESOLVED, that when monies are available in the Louis Road and Portion of Stanley Road Special Road Improvement Account that said monies expended by the Highway Department be refunded to said department.

Seconded by Councilman Holbrook.

All voted Aye.

Dr. Frank Bolander, New City appeared before Town Board re danger on Route 59-A caused by road being torn up for sewer Construction. Supervisor asked Dr. Bolander to call him at his office re same.

Town Board signed Performance Bond submitted by ODFIN CONSTRUCTION CO. (TOREX REALTY, INC.) in amount of \$2,300.00 cövering sewers; tow

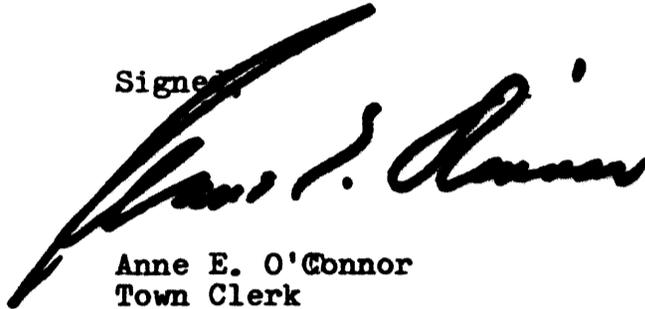
CCJ301

years period - 11/15/66 - 11/14/69.

Town Board signed Agreement with Torex Realty Corp to hold Check #1951 of Torex Realty Inc. in the amount of \$1800 pending delivery of bond in same amount from Peerless Insurance Co. to guarantee installation of public improvements on subdivision plot of Odfin Construction Corp.; upon delivery of aforesaid bond, the said certified check to be returned to Torex Realty, Inc.

On resoluton offered by Councilman Holbrook, seconded by Councilman Brenner and unanimously adopted, Town Board meeting was adjourned until Wednesday, 11/29/67 at 8:00 P.M.

Signed



Anne E. O'Connor  
Town Clerk