

PUBLIC HEARING

Town Hall

1/12/72

8:00 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Attorney Frederick P. Roland
Town Clerk Anne E. O'Connor

RE: ZONE CHANGE APPLICATION MADE BY G & S HOLDING CORPORATION (R-22 to R-15)
PROPERTY LOCATED ADJACENT TO THE NEW CITY ELEMENTARY SCHOOL:

Supervisor called public hearing to order; Town Clerk testified as to proper posting and publication of notice of public hearing.

Ronald M. Kahn, Attorney at Law, 135 South Main St., New City New York, appeared as attorney for petitioner and stated the following:

Petitioner is owner of parcel of property consisting of approximately 11.8 acres located in the central portion of the town generally bounded on the north by property of Clarkstown Central School District No. 1, on the south by lots fronting on Sunrise Avenue and Oak Street, on the east by the rear property line of lots fronting on Marsha Place and on the west by the rear property line of lots fronting on Crestwood Drive and Tor View Avenue.

Petitioner's property is in two zone districts, R-15 and R-22; zone line between R-15 and R-22 can only be approximately determined by scaling since the line bends and turns with no apparent pattern and does not follow any existing physical features or property lines.

Access to the portion zoned R-22 can only be achieved through the area zoned and developed with lots conforming to the R-15 designation.

Total area which is subject to the requested zoning change is approximately 2.5 acres.

Purpose for petition; for rezoning that portion of the subject tract which is in an R-22 district to an R-15 district, which would permit the construction of homes on lots having a minimum area of 15,000 sq. ft. in lieu of 22,500 sq. ft. as required in R-22.

Since property to south, east and west of the tract is presently in an R-15 District, the proposed change would not introduce a new zone to the area.

Entire tract under one ownership and will be planned and developed as a unit; site has adequate community facilities to provide for the needs of future residents, and that the health, safety, welfare and morals of the town would not be adversely affected.

Road patten already established in that sewer easement was granted gratuitously to the town, and that the location of this easement was set with the consultation of the sewer consultants and the Planning Board to determine the most likely location of the future road.

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G & S HOLDING

R-22 designation would require lots having a frontage of in excess of 200 feet with a lot depth of approximately 100 feet. No portion of the property proposed to be rezoned will affect property within the protectively zoned area of a housing project authorized under the Public Housing Law, nor is any portion within 500 feet of the boundaries of any City, Village, Town, County, State Park, but that a portion of the premises is within 500 feet of Route 304.

RECOMMENDATIONS:

Town Planner: 'Zoning reasonable and appropriate. In light of the overall zoning pattern and development, I recommend denial.'

Town Planning Board: That the petition of G & S Holding Corp. be DENIED in the absence of any demonstration that such change would benefit the town.

County Planning Board: Request does not fall within the provisions of Article 12B, Section 239 l & m of the General Municipal Law.

Town Attorney had petition verified.

In answer to questions put by the Council, attorney for petitioner stated Tor View would continue and circle around approach would be through R-15 zone. Entire red shaded area on map owned by G & S; white with circle, already zoned R-15 owned by G & S.

Proposed road 50' strip. (Presented site layout).

IN FAVOR: No one appeared

OPPOSED:

Mr. D. A. Corha, 9 Allen Drive, New City N Y: This is difference of two homes: why did town disapprove? Town Planner: Zone Change would be benefit to property owner. Corner property on Crestwood in R-22. Result of this action would be another meandering line. Would just be economic benefit to petitioner.

Mr. Paul Conrad, 18 Nancy Drive, New City, N Y: (When asked how many opposed, most of audience stood as opposing).

Supervisor stated at this point, that pipe that went in on Nancy Drive too small, those would be replaced, by the builder. Whatever consideration would be given, he continued, will be based upon a cash bond placed with the town to correct the present drainage and the subdivider would be required to comply with regulations set up by our Town Engineer.

Mr. Martin Newman, 14 Nancy Drive, New City: School property low area now. Do not increase density. Schools crowded at present. Benefit all one-sided,

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G & S HOLDING

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Mr. Edward Hughes, 29 Marcia Lane, New City: Re Site Plan; not filed. 6% lots as opposed to 4. Re property on south Marcia Lane, trees there now. If permission given; we should retain as many as those trees as possible. Re stream behind Marcia (drainage stream - T/C), what is going to happen to it and how will it affect the drainage problem?

Mr. Arnold Beck, Long Meadow Drive, New City: Asked if certain portion of land must remain open. Town Attorney advised that Planning Board would set down provisions re parklands or money in lieu. Mr. Beck continued, this land swamp. Good for wildlife. Development would be bad for ecology; leave as is. Also, number of children for school already crowded.

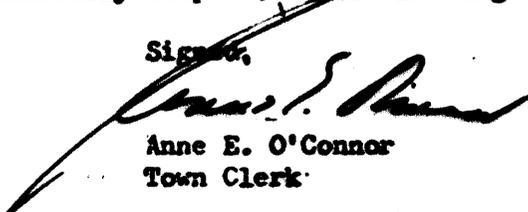
Mr. Lawrence Barth, 16 Nancy Drive, New City: Drainage problem. Re trees, one erected not good as those destroyed. Re drainage, would this force drainage back on my property? Mr. Vines: Developer would have to get approval (Planning Board Hearing - T/C).

Mr. Walter Orloff, 30 Crestwood Drive, New City: Recommends that this be denied. Would like to see number of houses in this area kept to minimum.

Councilman Lodico inquired of attorney for petitioner re principals involved. Mr. Kahn replied that principal Jack Greenberg and that he is also connected with Demarest Hills Development Corporation. Problems rectified in previous development with Building Inspector. Mr. Greenberg, he continued, has been in touch with the Town Engineer re drainage. Roads in previous development not dedicated as yet; drainage problems exist; pipe installed under road which subsequently was found to be inadequate in size. This is being corrected. Mr. Greenberg will be posting bond with the town for doing this corrective work. Does not know when bond was filed for this particular project. (Mr. Greenberg replied 3-4 years ago). He further stated (Mr. Greenberg, that papers are before the Town Attorney's Office for road dedication. He further stated that town would have additional benefit - 5' buffer zone.

On resolution offered by Councilman D'Antoni, seconded by Councilman Lodico and unanimously adopted, public hearing was closed.

Signer,


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

1/12/72

8:15 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Attorney Frederick P. Boland
Town Clerk Anne E. O'Connor

RE: RE-APPLICATION FOR SPECIAL PERMIT - HARRY ADLER
PROPERTY LOCATED ROUTE 59, WEST NYACK:

Supervisor Vines called public hearing to order; Town Clerk testified as to proper posting and publication of notice of public hearing.

John M. Hekker, Attorney at Law, 53 Burd Street, Nyack, N Y appeared before the Town Board as attorney for petitioner and presented the following Exhibits:

- Exhibit A: Special Findings and Resolution Granting Special Permit for Gas Filling Stated to HARRY ADLER, HAROLD A. SMITH and RUSSELL WIGHT JR. dated September 16, 1970.
- Exhibit B: Rockland Transit Corp. Bus Schedule Eastbound to Nyack N Y
- Exhibit C: Red and Tan Lines Bus Schedule Turnpike Express Service Timetable (Spring Valley, New City and New York City)
- Exhibit D: Letter from West Nyack Fire Engine Co. #1, Inc. stated they have adequate fire equipment and protection in case of a fire at the gasoline & filling station on the south side of Route 59.
- Exhibit E: Letter from Chief of Police of the Town of Clarkstown stating that in his opinion, in the event this application is granted, sufficiency police protection would be available.
- Exhibit F: Letter from Orange & Rockland Utilities, Inc. stating that in regard to electrical facilities for the gasoline station on Route 59 in West Nyack they can provide single phase or three phase electric service of any voltage characteristic.
- Exhibit G: Letter from the Village of Nyack Board of Water Commissioners stating that water is available at this location in sufficient volume and pressure to service this facility.

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HARRY ADLER SPECIAL PERMIT APPLICATION

RECOMMENDATIONS:

ROCKLAND COUNTY PLANNING BOARD: We previously reviewed a similar request on July 14, 1970 and found that the proposed zoning action would probably not be detrimental to State Route 59 as long as conditions of granting the permit include approval by the New York State Department of Transportation of the patterns of vehicular traffic and drainage. Adequate plans should be submitted to the New York State Department of Transportation for review.

CLARKSTOWN PLANNING BOARD:

A. That a Restrictive Covenant, running with the land, be made a part of the Special Permit as follows:

1. Eventual continuance of special permit to be contingent on there being no 'junking' on any portion of the property.
2. Landscaping to be as determined by Planning Board upon recommendation of Shade Tree Committee, such to include grassed areas on present and future widened Route 59 ROW fronting on the station.
3. Exit from station to be restricted to a ROW of 50' minimum width lying in or to the east of the property, as determined by the Planning Board in consultation with Traffic Advisory Board and New York State Department of Transportation.
4. Entire development subject to review according to Site Layout review regulations of the Planning Board.

B. That the Special Permit request, after execution of the above covenant, be duly granted.

Attorney for Petitioner, John M. Hekker, Esq., sworn in by Supervisor and testified as follows:

Has presented site plan of this proposed gasoline filling station to the Planning Board and the Town Board. Reason for being here again; Special Permit valid for one year - because of moratorium which took place in 1971, and because of various requests in ironing out a site plans problem acceptable to the Clarkstown Planning Board, the 12 month time limitation expired. This necessitated the application here again. (Submitted their proposed Site Plan).

He continued that applicant has no objection to complying with covenant, except one; single minimum 50' wide access to the property. They have, he stated no objection to this, but they must be guided by the Department of Transportation. It would be up to this Department to grant us curb cuts to obtain a building permit.

Proposed development, he continued, would not adversely affect the health, safety, welfare, morals of the township.

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Mr. Ferdinand Horn, Jr., Nanuet and Pearl River N Y:

Sworn in by Supervisor and testified as follows; after being told by the Chair that he would not have to repeat his qualifications to testify.

Subject property, he stated, located 1000 feet west of the intersection of Route 303 and Route 59. Route 59 has two 20' lanes and extremely wide shoulders on the south side. On the north side, central mall.

On the south side of intersection of Routes 59 and 303, we have the entrance to Route 303 and then we have a parcel of property which, I believe, is the Bell Cleaning Co. The next property used to be a dress shop, but now it is the 'Cuti Co.'" Following this, we have a restaurant and bar, and following this, we have a parcel of property that erect fences, etc., and then there is a lane going into a cement mixing plant, and then we come to the subject property. Immediately to the west - the International Motorcycle Plant; then vacant land, which extends almost to the Hackensack River.

Last time he viewed property; this afternoon. In his opinion, he stated after questioned by attorney for petitioner, granting this petition would not cause any undue traffic congestion because there is such a wide road, there is ample space there for trucks or cars passing on the shoulder of the road.

Granting of this permit, he continued, in his opinion would not create a traffic hazard. Also would not adversely affect character of the area because no residential area in immediate vicinity.

Re property values; would go up; this would be good ratable. Also, he stated, in his opinion, granting would not affect public health, safety, welfare and morals of the community.

Mr. Harry Adler, 80 Strawtown Road, West Nyack: (Sworn in as witness and testified as follows:

Is familiar with how this property would be serviced; sewers in area - would be permitted to hook in. Re 4.329 of Zoning Ordinance; he will comply in all respects with terms and provisions of that Section.

Councilman D'Antoni: Tire selling from truck?
Answer: All selling will be done on side.

No further questions from the Town Board.

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OPPOSED:

1. Mr. McGrary, Rosemont Avenue, West Nyack N Y: (Representing Crange & Rockland Gasoline Dealers Association, Inc.)

Mobil station next to proposed site. Traffic hazard would be greater on Route 59 if granted. Re living up to regulations of Town Board and Planning Board, Mr. Adler will not be running the service station, dealer runs as he sees fit.

In area of 5/10ths of a mile from cloverleaf in West Nyack, eight service stations- 42 gasoline dispensing pumps. In area of 1.3 miles from apex of West Nyack cloverleaf, 14 service stations, 65 gasoline dispensing pumps. On east side of Route 303, service station boarded up for several month because it was unsuccessful. This area does not warrant another service station in this area.

2. Cliff Barrett, 500 Strawtown Road, West Nyack: Inquired as to why Special Permit requested. (Town Attorney explained that under Zoning Ordinance requirement to construct gas station, the Town Board must make special findings. Town Board cannot deny a request for a special permit on the grounds that there are too many gas stations. It must be denied only for reason that they did not comply with anything in this code.)

Mr. Barrett continued - 18 stations within a mile of this area. Do not need another one.

3. Mr. Bert Kimbark, Congers, New York: Self-service coming on strong. Prices will be cut so low, it will drive others out of business. (Town Attorney stated at this point, that unless attendant present, not permitted to self-service gas station)

REBUTTAL: (Attorney for petitioner):

Re opposition, sees no reason for economics to decide re granting subject special permit.

Mr. John McGranaghan, 10 Mountainview, Fishkill, New York:
(Sworn in and testified as follows):

Employed by Sun Oil Corp. Land Department. Is familiar with this particular piece of property. Will abide by Planning Board recommendations, except with possibility of access, which comes under the jurisdiction of the Dept. of Transportation. The Sun Oil Co. will abide by requirements imposed by Town or Zoning Laws. They have lease Agreement with Mr. Adler. Planning Board at present processing site plan; he was present at their meeting. What Sun Oil Cor. intends, in connection with the proposed station is a 2-2-1/2 story building of colonial design, landscaping (SPONS. to be spent on such trees, etc.)

Re self-service, Sun Oil Co. has not asked that way; as

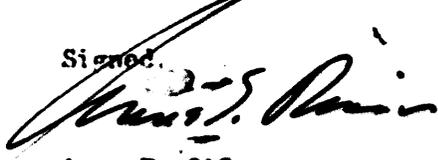
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ADLER

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far as he knows, there are no plans in that direction for the future.

On resolution offered by Councilman Pizzutello, seconded by Councilman Lodico and unanimously adopted, public hearing was closed.

Signed:



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

1/12/72

8:30 PM

Present: Councilmen Nicholas, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland

RE: PROPOSED EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY
DISTRICT #1 to INCLUDE WOODLAND ESTATES - SECTION II:

Supervisor Vines called public hearing to order; Town Clerk swore and to proper posting and publication of notice of public hearing. Town Clerk also testified that Certificate received from the Assessor which ascertained that applicant owns in the aggregate of at least one-half of the assessed valuation of all taxable property which is subject of this petition.

Mr. Manny Apfelbaum, 31 Alan Court, New City, N Y appeared before the Town Board in capacity of President of New City Development Corp., was sworn in, and testified as follows:

Signed petition as owner and President of Corporation. Proposed extension would benefit all the property owners within the proposed extension; all property owners who will benefit included within the limits of the proposed extension.

Would be in the public interest to grant because it will provide fire protection for the safety and well-being of property and lives and would bring about a reduction in fire insurance rates. Proposed extension would be at no expense to the town.

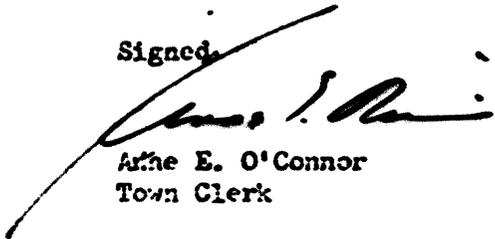
No further questions.

OPPOSED: No one appeared

IN FAVOR: No one appeared

On resolution offered by Councilman Lodico, seconded by Councilman Pizzutello, public hearing was closed.

Signed


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

1/12/72

8:45 PM

Present: Co. Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Clerk
Town Attorney

RE: SPECIAL PERMIT APPLICATION MADE BY M. SPIEGEL & SONS OIL CORP.
Property located west side Route 303, West Nyack N.Y.

Supervisor Vines called public hearing to order; Town Clerk testified as to proper posting and publication of Notice of Public Hearing.

CORRESPONDENCE:

Rockland County Planning Board: '...We find that the granting of the special permit will not, in all likelihood, adversely affect State Route 303 or the town as long as:

1. The Department of Transportation has an opportunity to review and approve the specific site plan of the station in order to ascertain the adequacy of right-of-way width, traffic movements, sign and lighting locations, parking and drainage as it relates to the safe traffic flow on the State Highway; and

2. a 10 ft. low maintenance landscape buffer strip is planted along the south side of the property facing the Laboratory Office zone in Orangetown, along the rear property line (within 50 feet of the town line) and all along the front property line.'

Clarkstown Planning Board: 'That the honorable Town Board grant the Special Permit for Gas Station requested by M. Spiegel & Sons as described above.'

NYS Department of Transportation: 'This Department has no objection to the construction of the service station. The owner will need a work permit from this Department before starting work. A plot plan should be submitted well in advance of starting construction.'

Spring Valley Water Company: '.....In the event that construction of the service station is commenced at a later date after the water main extension is completed, this company will agree to provide the installation of the service connection to the property line of the roadway assuming that we are able to obtain the necessary road opening permit from the official agency having jurisdiction over such openings.'

Clarkstown Police Department: Chief Wiebicke stated in his opinion we have adequate police protection within this area of West Nyack.

Orange & Rockland Utilities: Has electric facilities available on Route 303 in West Nyack; can supply single phase or three phase facilities.

PH - SPIEGEL & JONES
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Robert A. Feenick, Esq., 10 North Main St., Pearl River, New York appeared before the Town Board; presenting the foregoing correspondence, and testified as follows:

Proposed facility will be appropriately located with respect to transportation (bus on Route 303); water will be supplied (see letter from Water Co.); will be protected from fire (West Nyack Fire Engine Co. #1), who have sufficiency equipment to handle anything connected with gas stations (Exh. A); adequate police protection in this area (see letter from Police Chief.

Proposed facility will not cause undue traffic congestion, will not create a traffic hazard, will not adversely affect the character of the area or the property values in the area. Will not otherwise impair the public health, safety or other aspects of the general welfare of the town.

Mr. Feenick continued: Property located on the west side of Route 303, just north of the Clarkstown/Orangetown town line. Located in M zone.

Premises has frontage on Route 303 of 179.94'; depth of 400' on southerly side, 413.32 on north and rear lot line of 180'. This results, he continued in parcel of well over 72,000 square feet. M Zone in Sec. 3.12 requires a minimum lot size of 60,000 square feet and minimum lot width of 150'.

These premises more than meet these requirements. As to Section 3.11 - M Zone requires Town Board approval for filling station of lots over 20,000 square feet. Re requirements of Special Findings, Sec. 4.31 - all met.

Mr. Karl F. Kirchner, 1 Kings Highway, Tappan, New York: (Sworn in and testified as follows):

Examined property - located on w/s 303, approximately 0.55 miles south from 59 and immediately to the north of the Orangetown/Clarkstown line in West Nyack.

Area 73,170 square feet; 1.68 acres. 180 ft. frontage on the w/s of 303. Gas station total floor area, approximately 1500 square feet. Masonry construction. Occupies approximately 2% of site area. Granting will not adversely affect character of area or property values. M Zone in immediate area. M District permits by Special Permit, bulk storage of fuel oil, etc. Also permits gas filling stations, etc.

Location w/s 303 compatible with existing development in area. on East Side, there is a gas filling station used for distribution and warehouse, fast food type operation, and building utilized for real estate and dog grooming. On w/s 303, restaurant, town dump, proposed auto racing facility and also on w/s 303, industrial building and drive-in theatre. They serve traffic already passing by; setback provides light.

Insurance Rate: High if contributing to automobile accidents. Gas stations would be. Gas stations engender lower fire insurance rates.

PH - SPIEGEL

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Restaurant building; immediately to the north, \$6.73 per \$100. coverage. Gas filling station on east side - \$1.18 per \$100. coverage.

Presently vacant land will be developed in area. Traffic will increase. This traffic must be serviced by gas stations.

Property will be of more value - ratable.

Gas station more desirable than things already in neighborhood.

Mr. Morton Marcus, Architect, 3 East Allison Ave., Pearl River N Y:
(Sworn In)

Licensed in New York and New Jersey. Prepared Site Plan.

Town Board: What is intention for use of balance of property?

Answer: We have no plans for balance of property. Area to be used for service station will have to be filled in. Balance would be left in natural state. Low area; partly swampy; it would be left in that state.

Re traffic: Department of Transportation made recommendations as to location of curb cuts. Asked to provide additional egress and ingress. We are also paving additional 10 feet in front of our property. Entire arrangement of curb cuts was at direction of Messrs. Bain and Carway of the Department of Transportation.

Town Board: Would you use lesser amount of property than your indication on the map if town should request this. You are entitled to use 60,000 square feet; you are not using it.

Mr. Feenick: There would be no objection if Town Board limited to normal requirements and left balance in natural state. Mr. Spiegel would go along with this.

Mr. George H. Clarkson, Larchmont, New York (Sworn In):

Is familiar with Sec. 4.329 of Zoning Code. Spiegel and Sons will follow all requirements of said section. Re recommendations of Planning Boards re buffer zone, etc. will abide.

No further questions.

OPPOSED:

1. Mr. Len McGrary, 52 Demarest Avenue, West Nyack: (Executive Director of the Rockland County Gasoline Station Dealers Association):

On Route 303, from New Jersey to Route 94 -- 11 miles -- 24 service stations. In West Nyack, closed service station. West Nyack does not need this.

PH - SPIEGEL
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OPPOSED (continued):

2. Mr. Rubolini, Lake Lucille, New City: Station across the street robbed (Police Protection). Re fire; if two stations went up, could Fire Department cover.
3. Mr. Cefola, (Station in Valley Cottage): (Address: Little Tor Rd., New City.) Five stations added in this area recently. Re insurance, if no repairs done, insurance will be low. So it seems logical that repairs will be done here.
4. Mr. Billy Marshall, Congers, N.Y.: Too many gas stations now.
5. Mr. Bert Kimbark, Congers, N.Y.: Do not saturate with gas stations. Some cannot make it now.
6. Resident, 385 South Route 303, West Nyack: Not needed. Re insurance for gas stations, hard to get. Re repairs, needed to do business. Cars must be kept on station property.

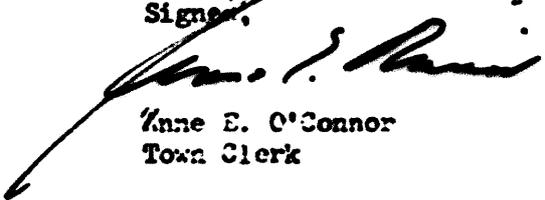
REBUTTAL: (Mr. Feenick, Attorney for Petitioner):

There is adequate protection. Re other filling stations, no basis to deny Special Permit. Re major companies leasing property; Spiegel buying this property. They are erecting their station on it and leasing the station out. Re station in Crangeburg, station was shut down because there was a change in the lessee.

Mr. Clarkson: (as to why): 7/20/71 took over distributorship. This was one of service stations we took over as distributorship. Dealer contract ran out. This operation not satisfactory from standpoint of image. Also, operators were operating three different businesses at the same time. When their contract with American Oil ran out, we separated. Station was closed to update line, make station more attractive, and new dealer ready to go in within week or ten days. Station closed purposely.

On resolution offered by Councilman Lodico, seconded by Councilman Pizzutello, and unanimously adopted, Public Hearing was closed.

Signed,


Anne E. O'Connor
Town Clerk

Granted 3/1/72

PUBLIC HEARING

Town Hall

1/12/72

9:00 PM

Present: Councilmen Nielaus, Lodico, D'Antoni, Fizzutello, Supervisor Vines
Town Clerk
Town Attorney

RE: PROPOSED AMENDMENT TO CHAPTER 46 OF THE CODE OF THE TOWN OF CLARKSTOWN
ENTITLED "ZONING ORDINANCE AND BUILDING CODE ADMINISTRATION" TO AMEND
SECTION 46-7 (BUILDING PERMIT FEE):

Supervisor Vines called public hearing to order; Town Clerk testified as to proper posting and publication of notice of hearing.

Robert Bowman, Building Inspector, appeared before the Town Board, was sworn in, and testified as follows:

Is Building Inspector; is familiar with Town Building Code and Zoning Ordinance. Is familiar with proposal before the Town Board this evening.

Proposed Amendment originated in his office. Explained as follows:

Amend Section 46-7 to read as follows:

46-7. Building Permit Fees.

Upon the filing of an application for a building permit, the following fees shall be payable:

NEW SINGLE FAMILY RESIDENCE

Where the total valuation of the work is:

Up to \$15,000	\$75.00
Each additional \$1,000	2.00

SINGLE FAMILY RESIDENCE ADDITIONS-ALTERATIONS
ACCESSORY BUILDINGS - SWIMMING POOLS

\$1,000	\$25.00
Each additional \$1,000	2.00

OTHER THAN SINGLE FAMILY RESIDENCE

Up to \$10,000	\$100.00
Each additional \$1,000	3.00

CERTIFICATES OF OCCUPANCY-ORIGINAL	25.00
CERTIFICATES OF OCCUPANCY-DUPLICATE	10.00
SEWER DISPOSAL PERMIT	25.00
COPIES OF RECORDS PER PAGE	1.00
CHANGE IN USE PERMIT	10.00
DEMOLITION	25.00
ARCHITECTURAL REVIEW BOARD SUB PROCESSING	25.00
SIGN PERMIT	25.00
TRAF. REQUESTS BY OUTSIDE AGENCIES	10.00

PH - CHAPTER 46 AMENDMENT
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Not adjusted since 1964; he recommends increases as described. Established minimum fee for single family residences by setting at \$75.00. \$15,000 cost \$61.00; this increase would be to \$75.00. Also, additional fees be set at \$2.00 per \$100. above \$15,000. minimum. Now on spreading scale.

Town Attorney: Is it necessary for town to make these increases?

Building Inspector: Yes, will offset inspection costs.

Would be in best interest of town; would be on comparable basis with other towns. Recommends that Town Board approve.

Councilman D'Antoni: (comparison): Other towns \$10.00 CO, \$25.00 for Town of Clarkstown.

OPPOSED: **Mr. George Faist, Rockland County Builders Association President:**

These increases not warranted. 500% increase for CO not reasonable. Fees should be collected to cover expenses and not for any other reason.

Town Attorney: Are there any portions of these increases that meet with approval of home builders? ARB Fee - no fee now.

Mr. Faist: No. We would like Town Board not to adopted until we can go over it with the Building Inspector.

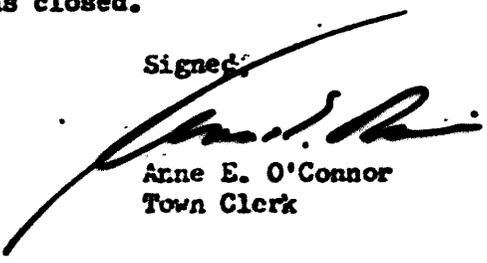
Councilman D'Antoni: Home Builders Association to submit recommendations to the Town Board for them to study.

Mr. Faist: Costs of Building Department should be only fee.

Building Inspector: Present fees does cover salaries, rent, etc. Even with increase proposed, it would not cover.

There being no one further wishing to be heard, on resolution offered by Councilman D'Antoni, seconded by Councilman Lodico and unanimously adopted, public hearing was closed.

Signed:


Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

1/12/72

9:15 PM

Present: Councilmen Nickas, Lodico, D'Antoni, Pizzutello, Supervisor Vines
Town Clerk
Town Attorney

RE: PROPOSED AMENDMENT TO LOCAL LAW NO. 2-1964 RELATING TO REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION:

Supervisor Vines called public hearing to order; Town Clerk testified as to proper posting and publication of notice of hearing.

Mr. Robert Bowman, 3 Murdock Road, New City appeared in capacity as Building Inspector, was sworn in, and testified as follows:

Is familiar with Zoning Code and Ordinance. Is familiar with proposal before the Town Board. Amendment is as follows: (T/C):

Sec. 1511. Permits.

E. Permits and fees are required for the following Uses:

<u>PERMIT</u>	<u>ANNUAL FEES</u>
Junk Yards	\$25.00
Bowling Alleys.....	25.00
Dry Cleaning.....	10.00
Explosives.....	25.00
Flammable Liquid.....	25.00
Garage and service stations.....	10.00
Hazardous chemicals.....	25.00
Liquified petroleum gasses.....	25.00
Lumber Yards.....	25.00
Oil-burning equipment.....	10.00
Storage of readily combustible materials.....	10.00
Welding or cutting.....	10.00
Multiple Residence:	
3-10 Units.....	25.00
Each additional unit.....	3.00
Public Assembly.....	25.00

Building Inspector stated it is necessary to recommend these increases to put Building Inspector's Office on self-sustaining basis. Has not received reply from Internal Revenue Service as yet. Would be in the best interests of the town. Recommends that these increases be considered by the Town Board.

OPPOSED: No one appeared

IN FAVOR: No one appeared

On motion offered by Councilman Pizzutello, seconded by Town Clerk D'Antoni and unanimously adopted, public hearing was closed.

[Handwritten Signature]
Town Clerk

SPECIAL TOWN BOARD MEETING

Town Hall

1/12/72

8:00 PM

Present: Councilmen Niehaus, D'Antoni, Lodico, Pizzutello, Supervisor Vines
Town Clerk Anne E. O'Connor
Town Attorney Frederick P. Roland

Supervisor Vines called Special Town Board meeting to order;
assemblage saluted the Flag.

(1972-70) Councilman D'Antoni offered the following resolution:

RESOLVED, that based upon the recommendation of Ernest F. Wiebicke, Chief of Police, that award of the bid for fifteen (15) 1972 4 door Secans for the Police Department is hereby awarded to Driscoll Chevrolet, South Route 45, Spring Valley, New York, at the net cost to the town of \$51,194.97.

Seconded by Councilman Niehaus.

All voted Aye.

Annual Reports for 1971 received from the Maintenance Department and the Town Engineer.

(1972-71) Councilman D'Antoni offered the following resolution:

WHEREAS, the week of January 16th thru January 22nd has been proclaimed "Save the Handicapped Week" throughout the State of New York; and

WHEREAS, the State Job Freeze and Budget Cuts have had unfortunate effects on the care and treatment of patients both at Rockland State Hospital and Rockland Children's Psychiatric Hospital; and

WHEREAS, both Rockland State Hospital and Rockland Children's Psychiatric Hospital are currently short employees, and the State Job Freeze forbids their replacement; and

WHEREAS, unless these employees are replaced, more and more needless deaths may occur, and inhuman and intolerable conditions will continue to prevail; and

WHEREAS, a rally of parents, relatives and concerned citizens will be held at Rockland State Hospital, on Sunday, January 16, 1972 at 1:30 PM to demonstrate support for the handicapped;

NOW THEREFORE, be it

RESOLVED, that I. William E. Vines, Supervisor of the Town of Clarkstown, do hereby proclaim the week of January 16th thru January 22nd, 1972 to be "SAVE THE HANDICAPPED WEEK" in the Town of Clarkstown.

Seconded by Councilman Niehaus.

All voted Aye.

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(1972-72) Councilman D'Antoni offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for a flusher truck for the Town Engineer's Office, said bids to be returnable on 2/2/72 at 2:05 PM, specifications to be available at the Town Engineer's Office, 9 Johnsons Lane, New City, New York.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-73) Councilman Niehaus offered the following resolution:

RESOLVED, that all bids received for the furnishing of Screenings and/or Fill for the Clarkstown Sanitary Landfill are rejected.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-74) Councilman Niehaus offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for fill for the Sanitary Landfill Area, said bids to be returnable of 2/2/72 at 8:05 PM, specifications to be made available at the Supervisor's Office.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-75) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION SETTING DATE OF PUBLIC HEARING CONCERNING THE APPORTIONMENT AND ASSESSMENT OF THE COST OF CONSTRUCTION, OPERATION AND MAINTENANCE OF SANITARY SEWER AND LATERALS WITHIN THE TOWN OF CLARKSTOWN - 2/9/72 - 8:15 PM)
See following page.

Seconded by Councilman Niehaus.

All voted Aye.

RESOLUTION SETTING PUBLIC HEARING
CONCERNING THE APPORTIONMENT AND
ASSESSMENT OF THE COST OF CONSTRUCTION,
OPERATION AND MAINTENANCE OF
SANITARY SEWER AND LATERALS WITHIN
THE TOWN OF CLARKSTOWN

WHEREAS, a hearing was had on the preliminary budget of the Town of Clarkstown on the 5th day of November, 1970 and the preliminary budget for the year 1971, as amended, was adopted on the 6th day of November, 1970, and

WHEREAS, the budget as adopted contained assessment roll for benefit improvements including the assessment roll for sewer districts, and

WHEREAS, a detailed estimated apportionment and assessment roll has been prepared by this Town Board covering the cost of construction, operation and maintenance of sanitary sewer and laterals within the Town of Clarkstown, and more specifically covering sewer districts 1, 2, 3, 4, 4B, 5, 6, 7, 8, 8 Ext. 6, 8 Ext. 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24 Ext. 1, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, RC and EX sanitary sewer and lateral districts within the Town of Clarkstown, apportioning and assessing the expense of such improvement and operation and maintenance thereof upon the lands benefited within such districts in just proportion to the amount of benefit which the improvement and operation and maintenance thereof shall have conferred upon the same, and such apportionment and assessment so completed having been filed with the Town Clerk of the Town of Clarkstown on the

NOW, THEREFORE, be it

RESOLVED, that a Public Hearing be held at the Board Room of the Town of Clarkstown, Town Hall, 10 Maple Avenue, New City, Rockland County, New York on the 9th day of February 1972 at 8:15 P.M. to hear and consider any objections which may be made to said apportionment and assessment roll, and be it

FURTHER RESOLVED, that the Town Attorney prepare a Notice of Filing of said apportionment and assessment roll and Notice of Public Hearing, and be it

FURTHER RESOLVED, that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published at least once in the official newspapers of the Town as required by law, the first publication shall be no less than ten (10) nor more than twenty (20) days before the time specified for the public hearing and such notice to be substantially in the following form:

**NOTICE OF PUBLIC HEARING TO
HEAR OBJECTIONS TO APPORTION-
MENT AND ASSESSMENT ROLL FOR
SANITARY SEWER DISTRICTS**

TAKE NOTICE, that the Town Board of the Town of Clarkstown, Rockland County, New York has completed its apportionment and assessment roll for and in connection with the apportionment and assessment of cost of construction, operation and maintenance of sanitary sewer and laterals within the following sanitary sewer districts within the Town of Clarkstown:
1, 2, 3, 4, 4B, 5, 6, 7, 8, 8 Ext. 6, 8 Ext. 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24 Ext. 1, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, BC and EX; that the same having been filed with the Town Clerk of the Town of Clarkstown on the 5th day of January, 1972 where the same are available for inspection by any interested person at all reasonable hours, and that the Town Board will meet at the Board Room, Town Hall, 10 Maple Avenue, New City, Rockland County, New York on the 9th day of February 1972 at 8:15 PM for the purpose of hearing and considering any objections which may be made to the said apportionment and assessment roll.

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(1972-76) Councilman Niehaus offered the following resolution:

RESOLVED, that two (2) employees of the Town of Clarkstown be authorized to attend training session for operation of Xerox Copier in White Plains, New York, all expenses to be made a proper town charge.

Seconded by Councilman D'Antoni.

All Voted Aye.

(1972-77) Councilman Niehaus offered the following resolution:

RESOLVED, that mileage at the rate of 12¢ a mile be paid to the Sanitation Commission Inspector for use of his personal automobiles in performance of his official duties.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-78) Councilman D'Antoni offered the following resolution:

RESOLVED, that a public hearing be had at the Board Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 9th day of February, 1972 at 8:30 PM in the evening to consider the application of the United Brotherhood of Carpenters and Joiners of America, Local 964, relative to Special Permit for Senior Citizen Housing, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause same to be published in the Journal News, the official paper of the Town of Clarkstown, as aforesaid, and file proof thereof in the office of the said Clerk.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-79) Councilman Niehaus offered the following resolution:

RESOLVED, that resolution #1972-56 adopted at the Town Board meeting of 1/5/72 is hereby rescinded, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to advertise for bids for the construction of a swimming pool complex at Trapashon Park, and be it

FURTHER RESOLVED, that said bid be returnable at the Town Board meeting of 2/16/72 at 8:30 PM, and be it

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(1972-79 - continued)

FURTHER RESOLVED, that specifications be picked up at the office of the Supt. of Parks and Recreation Board, 151 South Main St., New City, N Y

Seconded by Councilman D'Antoni.

All voted Aye.

Councilmen Lodico and Fizzutello arrived at the Board Table.

(1972-80)

Councilman D'Antoni offered the following resolution:

RESOLVED, that time for receiving bids for Construction of Lateral Sewers - Sewer District No. 39 - Contract E be closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened.

Seconded by Councilman Niehaus.

All voted Aye.

The following bids were received:

MAGGIOLO CORPORATION P O Box 89 Pearl River N Y	\$130,515.00
MARVEC-ALL STATE INC. 251½ Grove Avenue Verona, New Jersey 07044	\$ 92,267.33
A. GESTONE COMPANY 710 Bloomfield Avenue Glen Ridge, New Jersey	\$ 58,486.59
EDW. J. HUDGEL, INC. 110 W. Crooked Hill Road Pearl River, New York	\$ 68,660.46
CAMPOLI & SON, IN C. 256 Livingston Street Northvale, New Jersey	\$ 98,690.78
URHEIL CONSTRUCTION COMPANY INC. 172 River Road New Milford, New Jersey	\$ 95,922.40
FRIS HANDLE, INC. 20 West Oakland Avenue Oakland, New Jersey	\$119,701.10

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(1972-81) Councilman D'Antoni offered the following resolution:

RESOLVED, that ~~decision on award of bid for~~ Construction of Lateral Sewers - Sewer District No. 39 - Contract E, be reserved, and be it

FURTHER RESOLVED, that all bids be turned over to the Consulting Engineers for recommendation.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-82) Councilman Lodico offered the following resolution:

RESOLVED, that Special Town Board meeting be adjourned in order to hold scheduled public hearings.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-83) Councilman Pizzutello offered the following resolution:

RESOLVED, that Special Town Board meeting be reconvened, scheduled public hearings having been held.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-84) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON ZONE CHANGE APPLICATION MADE BY G & S HOLDING CORP (R22 to R-15)

The Town Board Reserved Decision on the above Zone Change Application.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-84) Councilman Niehaus offered the following resolution:

RESOLVED, that decision on Zone Change Application made by G & S Holding Corp. (R22 to R-15) be RESERVED.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-85) Councilman Lodico offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON SPECIAL PERMIT APPLICATION MADE BY HARRY ADLER FOR PROP. LOCATED SOUTHERLY LINE OF ROUTE 59, WEST NYACK)

The Town Board Reserved Decision on the above Special Permit Appli.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-85) Councilman Lodico offered the following resolution:

RESOLVED, that decision on Special Permit Application made by Harry Adler for Prop. located Southerly line of Route 59, W. Nyack be RESERVED.

Seconded by Councilman Pizzutello.

All voted Aye.

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(1972-86) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED EXTENSION OF CONSOLIDATED WATER SUPPLY DISTRICT TO INCLUDE WOODLAND ESTATES - SECTION II.)

The Town Board Reserved Decision on the Proposed Extension of Cons. Water Supply Dist. to include Woodland Estates - Sec. II
Seconded by Councilman Nicholas. All voted Aye.

(1972-87) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION OF SPECIAL PERMIT APPLICATION MADE BY M. SPIEGEL & SONS CORP. - PROP W/S ROUTE 303, WEST NYACK)

Town Board Reserved Decision on above mentioned Special Permit Appli.
Seconded by Councilman Pizzutello. All voted Aye.

(1972-88) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED AMENDMENT TO CHAPTER 46 "ZONING ORDINANCE & BUILDING CODE ADMINISTRATION")

Town Board Reserved Decision on Proposed Amendment to Chapter 46.
Seconded by Councilman Lodico (mentioned above.) All voted Aye.

(1972-89) Councilman Pizzutello offered the following resolution:

(INSERT RESOLUTION RESERVING DECISION ON PROPOSED AMENDMENT TO LOCAL LAW #2-1964 RELATING TO REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE & PROPERTY FROM FIRE AND EXPLOSION)

Town Board Reserved Decision on Proposed Amend. to Local Law #2-1964.
Seconded by Councilman Lodico. All voted Aye.

On resolution offered by Councilman D'Antoni, seconded by Councilman Lodico and unanimously adopted, Special Town Board meeting was adjourned until Wednesday, January 19th, 1972 at 8:00 PM/

Signed


Anne E. O'Connor
Town Clerk