

PUBLIC HEARING

Town Hall

4/12/72

8:00 PM

Present: Councilmen D'Antoni, Lodico, Pizzarello, Deputy Supervisor Niehaus
Town Attorney F. P. Roland
Deputy Town Atty. M. S. Friedman
Town Clerk A. E. O'Connor

Absent: Supervisor Vines

RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCE - TO AMEND SEC. 3.12,
TABLE OF GENERAL BULK REGULATIONS - COLUMN 6 - NOTE 11:

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

Town Attorney Frederick P. Roland explained proposed amendment as follows: Proposal is to amend section 3.12, Table of General Bulk Regulations, Col. 6, as follows: Note No. 11 - 'The required minimum lot frontage as defined in Sec. 1.36 (Defined Words) shall not be less than fifty (50) feet.' Town Planner Theodore Zollendeck stated that he recommends that this be done, to change present fifteen (15) feet requirement. In response to question put by Mr. Niehaus, Mr. Zollendeck stated that proposed amendment would decrease the lot count in some cases; 'mother in law' lots would have to be 50' as opposed to 15'.

IN FAVOR: No one appeared

OPPOSED: Merton E. Rawson: (As individual - not as member of Planning Board:

If proposed amendment approved, several hundred lots which Planning Board has approved would become non conforming. 'Mother in law' lots desirable; set off road 50' to 100'. First lots to sell in subdivision - quiet and private. He also questioned fact that this matter not referred to the Planning Board for recommendation.

Kenneth Torsoe (Rep. Home Elders Assoc.): Requested that their association be informed of things that involve them (pertaining to land development) in the future. He inquired as to how many acres would be affected by this proposed change; and, if Town Board approved proposed amendment, would town be willing to say land is worthless and reduce assessment on same.

Mr. Zollendeck replied that he could not answer first question, he does not know how many acres. That would depend on the builder, designer and engineer. On the second question, Mr. Zollendeck replied that property is taxed; when one lot divided into 10, you must pay for 10. Mr. Torsoe stated that since lot acreage is in depth, if minimum size increased, a lot of land in rear would be rendered useless.

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OPPOSED: (continued)

Henry Carter: Lots of land held for considerable time; they have paid extra taxes on this property. Consider the small people who have only one lot behind their homes; they are more important than the building industry.

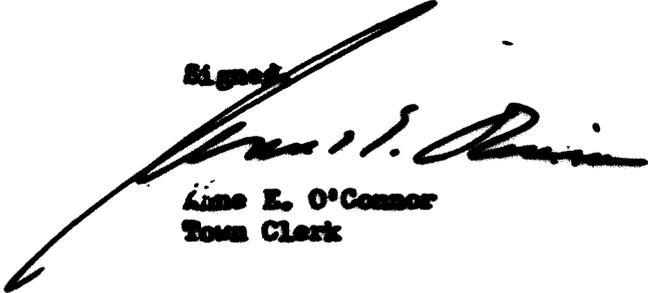
Resident, Congers: How would this affect sewer tax?

Dept. Supervisor Nichols: Sewer Tax not based on footage; 25% frontage. This type of lot would benefit.

Henry Carter: Few situations exist as outlined by Tom Planner. All cul de sacs 80' frontage spread out to rear. Proposed amendment would do more damage than good to individual taxpayers.

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

Signed



Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall 4/12/72 8:00 PM

Present: Councilmen D'Antoni, Lodico, Pizzutello, Dep. Supervisor Niehaus
Town Attorney Frederick P. Roland
Deputy Town Atty. Martin S. Friedman
Town Clerk Anne E. O'Connor

Absent: Supervisor Vines

Deputy Supervisor Niehaus called Town Board meeting to order;
assemblage saluted the Flag.

(1972-387) Councilman D'Antoni offered the following resolution:

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

Seconded by Councilman Lodico. All voted Aye.

(1972-388) Councilman Pizzutello offered the following resolution:

RESOLVED, that Town Board meeting be resumed, scheduled public
hearing having been held.

Seconded by Councilman D'Antoni. All voted Aye.

(1972-389) Councilman D'Antoni offered the following resolution:

(INSERT RESOLUTION (T/A) RESERVING DECISION ON PROPOSED AMENDMENT TO THE
ZONING ORDINANCE - AMEND SEC. 3.12, TABLE OF GENERAL BULK REGULATIONS)

Seconded by Councilman Pizzutello. All voted Aye.

(1972-389) Councilman D'Antoni offered the following resolution:

RESOLVED, that decision on proposed amendment to the
Zoning Ordinance - amend Sec. 3.12, table of general bulk regula-
tions be RESERVED.

Seconded by Councilman Pizzutello. All voted Aye.
Town Board signed Order setting date of hearing re proposed
extension of Consolidated Water Supply District #1 to include MIDLAND
ESTATES -- 5/10/72 - 8:15 PM (INSERT ORDER)

(SEE FOLLOWING PAGE.)

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Town Board signed ORDER setting date of hearing re proposed extension of Consolidated Water Supply District #1 to include DELTA ESTATES --4/12/72 - 8:30 PM (INSERT ORDER)
(See following pages.)

(1972-390) Councilman D'Antoni offered the following resolution:

WHEREAS, it appears that the Town of Ramapo proposes to acquire lands within the Town of Clarkstown for the municipal purposes of the Town of Ramapo, and

WHEREAS, the acquisition of lands within the Town of Clarkstown for the municipal purposes of the Town of Ramapo is against the best interests, welfare, safety and health of the citizens of the Town of Clarkstown;

NOW THEREFORE, be it

RESOLVED, that the Supervisor and the Town Attorney are authorized to take whatever action is necessary to prevent the Town of Ramapo from acquiring land within the Town of Clarkstown as aforesaid.

Seconded by Councilman Pizzutello.

At this point, before the vote was taken, Councilman Lodico stated in objection that wording of this resolution empowers the Town Attorney or the Supervisor to do anything to save the airport and could easily create industrial agency, and that he was against it.

Councilman D'Antoni withdrew the motion, Councilman Pizzutello withdrew his second; and matter was held.

(1972-391) Councilman D'Antoni offered the following resolution:

WHEREAS, by resolution No. 834 of 1970, the amounts to be raised for under the 1971 sewer roll were set forth, and

WHEREAS, a study of the 1971 tentative sewer roll reveals that a clerical error was made in the typing of the amounts for Sewer District #35 and Sewer District #38, resulting in a reversal of these amounts, and

(continued)

In the Matter of the Petition for EXTENSION of the Clarkstown Consolidated Water Supply District #1 to include MIDLAND 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 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 12th day of April, 1972, for the hearing of all persons interested in the matter on the 10th day of May, 1972 at 8:15 P.M. EDT Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, and a Public Hearing by the said Town 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 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 resolved that the creation of such extension as proposed be approved, 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 May 10, 1972

Anthony D. Anton Councilman

William R. Michaels Councilman

Supervisor

Vernon D. Smith Councilman

John Hodick Sr. 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 Cons. Wtr Spplly Dist. #1 MIDLAND ESTATES with the original now on file in said office, and find same to be a true and correct transcript and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 10th day of May, 1972.

Anne E. O'Connor Town Clerk

SEAL

MIDLAND ESTATES

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

BEGINNING at a point on the Easterly side of Burda Avenue at the Southwest corner of lands now or formerly of Raymond E. Pitt and running thence:

- (1) South 89 degrees 01 minutes 00 seconds East a distance of 407.95 feet, thence;
- (2) North 6 degrees 28 minutes 10 seconds East a distance of 150.69 feet, thence;
- (3) South 89 degrees 01 minutes 00 seconds East a distance of 360.00 feet, thence;
- (4) South 10 degrees 13 minutes 30 seconds West a distance of 151.97 feet, thence;
- (5) South 89 degrees 01 minutes 00 seconds East a distance of 753.45 feet, thence;
- (6) South 3 degrees 41 minutes 40 seconds West a distance of 370.35 feet, thence;
- (7) South 14 degrees 11 minutes 05 seconds West a distance of 249.44 feet, thence;
- (8) North 75 degrees 11 minutes 20 seconds West a distance of 204.39 feet, thence;
- (9) North 19 degrees 01 minutes 20 seconds East a distance of 137.92 feet, thence;
- (10) North 69 degrees 33 minutes 20 seconds West a distance of 14.00 feet, thence;
- (11) North 20 degrees 26 minutes 40 seconds East a distance of 31.70 feet, thence;
- (12) North 69 degrees 33 minutes 20 seconds West a distance of 300.76 feet, thence;
- (13) South 14 degrees 48 minutes 40 seconds West a distance of 200.00 feet, thence;
- (14) North 75 degrees 11 minutes 20 seconds West a distance of 154.61 feet, thence;
- (15) South 76 degrees 44 minutes 75 seconds West a distance of 579.31 feet to a point on the Easterly side of Burda Avenue, thence;
- (16) Along the same, North 20 degrees 18 minutes 05 seconds West a distance of 648.04 feet to the point or place of Beginning.

At a meeting of the Town Board of the Town of Clarkstown, Rockland County, New York, held at the Meeting Room of the Town Hall, at 10 Maple Ave., New City, in said Town of Clarkstown on the 12th day of April, 1972.

PRESENT:

- | | | |
|--------------------|------------|----------------|
| WILLIAM E. VINES, | SUPERVISOR | |
| WILLIAM NIEHAUS, | COUNCILMAN | ORDER CALLING |
| JOHN LODICO, SR. | COUNCILMAN | |
| VINCENT PIZZUTELLO | COUNCILMAN | |
| ANTHONY D'ANTONI, | COUNCILMAN | PUBLIC HEARING |

IN THE MATTER OF:

PETITION for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1 to include DELTA ESTATES in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated April 6, 1972 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York, for the Proposed Extension of the Clarkstown Consolidated Water Supply District #1 in the said Town, to be bounded and described as follows:

(ATTACH DESCRIPTION)

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 10th day of May 1972, at 8:30 P.M. EDT time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Dated: April 12, 1972

William E. Vines, Supervisor

Anthony D'Antoni
Councilman

William R. Niehaus
Councilman

Vincent Pizzutello
Councilman

John Lodico Sr.
Councilman

STATE OF NEW YORK
COUNTY OF ROCKLAND SS:
TOWN OF CLARKSTOWN

I, ANNE E. O'CONNOR, Town Clerk of said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of said ORDER setting hearing RE: Prop. Ext. Clrkstwn Cons. Wtr Supply Dist. #1 DELTA ESTATES with the original now on file in said office, and find same to be a true and correct transcript therefrom and of the whole of such original. IN TESTIMONY WHEREOF, I have hereunto subscribed by name and affixed the seal of said Town of Clarkstown, this 12th day of April 1972.

Ann E. O'Connor
Town Clerk

(SEAL)

DELTA ESTATES

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

BEGINNING at a point on the Easterly side of Brewery Road distant 264.42 feet Southerly from the Southerly end of a curve connecting the Easterly side of Brewery Road with the Southerly side of Woodside Drive and running thence:

- (1) South 85 degrees 29 minutes 20 seconds East a distance of 161.17 feet, thence;
- (2) North 1 degree 37 minutes 30 seconds East a distance of 189.42 feet, thence;
- (3) South 85 degrees 30 minutes 25 seconds East a distance of 356.71 feet, thence;
- (4) South 86 degrees 44 minutes 50 seconds East a distance of 232.22 feet, thence;
- (5) South 4 degrees 45 minutes 25 seconds West a distance of 325.98 feet, thence;
- (6) South 8 degrees 55 minutes 20 seconds West a distance of 124.10 feet, thence;
- (7) North 81 degrees 25 minutes 25 seconds West a distance of 714.69 feet to a point on the Easterly side of Brewery Road, thence;
- (8) Along the same, North 00 degrees 32 minutes 00 seconds West a distance of 166.92 feet, thence;
- (9) Along the same, north 1 degree 37 minutes 30 seconds East a distance of 38.43 feet to the point or place of Beginning.

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(1972-391 - continued)

WHEREAS, the correction of this clerical error is recommended by George K. Mellersten, Assessor of the Town of Clarkstown, and

WHEREAS, the Town Board is under court order to present a sewer roll for the year 1971 for public hearing;

NOW THEREFORE, be it

RESOLVED, that the clerical error contained in resolution No. 834 of 1970, to wit, Sewer District #35-amount \$750.00 and Sewer District #38-amount \$4,250.00, be and the same are hereby corrected to read as follows:

<u>Sewer District</u>	<u>Amount Raised</u>
35	\$4,250.00
38	\$ 750.00

and be it

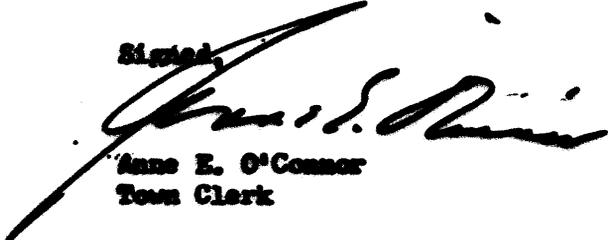
FURTHER RESOLVED, that the Assessor of the Town of Clarkstown is directed to make the appropriate changes, if warranted, in the 1971 tentative sewer roll.

Seconded by Councilman Niehaus.

All voted Aye.

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

Signed,


Anne E. O'Connor
Town Clerk