

PUBLIC HEARING

Town Hall

11/1/72

8:00 PM

Present: Councilmen Nichaus, Lodico, Piazutello, D'Antoni, Supervisor Vines  
Town Clerk Anne E. O'Connor  
Town Attorney Frederick P. Roland  
Deputy Town Attorney Martin S. Friedman

RE: PROPOSED AGREEMENT WITH TRUSTEES OF ERIE LACKAWANNA RR RELATING TO  
ESTABLISHMENT OF NEW PUBLIC ROAD CROSSING AT GRADE ACROSS TRACKS  
AT PROSPECT STREET, NANUET:

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

Martin S. Friedman, Esq., Deputy Town Attorney stated the following:

Railroad Law requires public hearing to be held before entering into agreement with railroad for purposes of working out distribution of costs and work in order to rectify conditions of the grade crossing.

This particular agreement, he continued, concerns Prospect St. Nanuet. On 6/21/71, public hearing had which authorized town to prepare petition to the Department of Transportation to determine manner in which tracks would cross Prospect St.

On 9/6/72, Bond Resolution adopted authorizing \$36,000.00 expenditure of the estimated maximum cost of lights, signals, etc. This public hearing required as result of petition filed by Department of Transportation. Additional hearing will be held by the Department of Transportation 11/3/72, to make final determination of improvement of crossing.

Proposed Agreements:

1. The Trustees of the railroad consent to the establishment of a new public road across the tracks of said line of railroad at grade and grant the Town of Clarkstown necessary easements, without cost or charge, for the establishment of the new roadway.
2. A portion of the work in establishing and maintaining the crossing and approaches and necessary drainage and installing the automatic protection will be performed by the Town of Clarkstown and a portion of such work will be performed by the Trustees of the railroad.
3. In consideration for the Trustees' grant and conveyance of the necessary easement to the Town of Clarkstown without charge, the Town will pay for the cost of the project and a portion of the maintenance of the new facilities.
4. The Agreement is subject to approval by the Department of Transportation of the State of New York.

Deputy Town Attorney Martin S. Friedman stated town will prepare plans and specifications for improvement of grade, including drainage, etc., to be submitted to the Engineer of the Department of Transportation. Railroad will perform work, except for paving at cost and expense of town. Town to pave in accordance with railroad specifications. Railroad to furnish materials and perform work re installation of gates, lights, etc.

Cost estimate: Increase of Bond issue -- \$49,990, because of additional pedestrian protection.

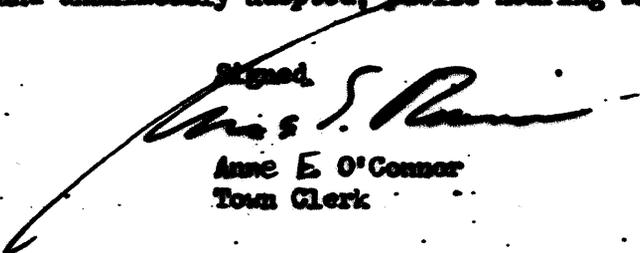
IN FAVOR:

Mr. Morris Hershtein, Manuet School Board: Wants Town Board to act favorably. Is absolute necessity for safety of children and school busses who cross Prospect Street.

OPPOSED: None

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

PUBLIC HEARING

Town Hall

11/1/72

8:02 PM

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

RE: PROPOSED AMENDMENT TO CHAPTER 34 OF THE CODE OF THE TOWN OF CLARKSTOWN:  
(SEWER DISTRICT REGULATIONS - Sec. 34-6):

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

Deputy Town Attorney Martin S. Friedman stated the following:

Proposed amendment is to raise fees for registration to construct any house sewer or do any work indicated to any connection to said system. Fee suggested will be \$50.00, which represents increase in administrative costs in processing these applications.

Proposed amendment reads in full as follows: (T/C)

'Amend Sec. 34-6, paragraph 1 to read as follows:

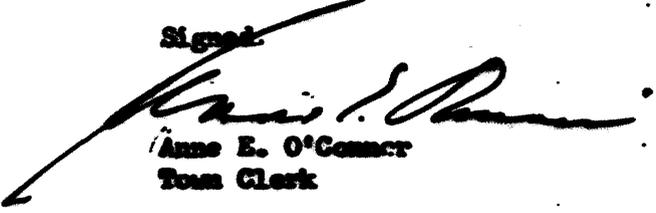
"(1) All applications for certificates of registration to construct any house sewer or do any work indicated to any connection to said system, shall be made in writing to the Superintendent, and all certificates of registration shall be granted by the Board. The fee for such certificate of registration shall be fifty dollars (\$50.00). The applicant, before receiving such certificate, shall furnish to the Board proof satisfactory to it.....".

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

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

PUBLIC HEARING

Town Hall

11/1/72

8:05 PM

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

RE: PROPOSED AMENDMENT TO LOCAL LAW #9-1971 (VEHICLE AND TRAFFIC):

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

Deputy Town Attorney Martin S. Friedman stated the following:

Proposed change recommended by the Town Attorney's Office, as follows:

Amendment proposed to Sec. 9, Traffic Violations Bureau:

B. Organization.

(2) Said Bureau shall maintain such hours as may be designated by the Justice Court.

D. Procedure.

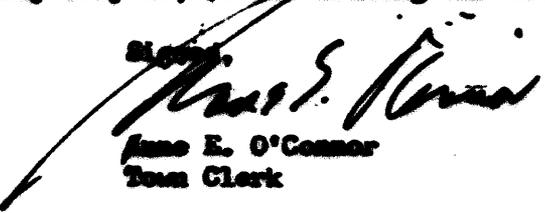
(2) At any time prior to the issuance of a warrant for an "alleged violator's" arrest, the "alleged violator" may appear personally, or by designated person, or by written power of attorney, in such form as prescribed by the Traffic Violations Bureau, before the Traffic Violations Bureau to answer the violation alleged. Said violation may be satisfied by payment of the prescribed fine and a writing waiving a court hearing. Fulfillment of said conditions shall presumptively be considered a plea of guilty, which plea the Bureau Director shall be authorized to enter. A defense of prior theft of a motor vehicle interposed to a non-moving violation by the owner thereof shall be established to and accepted by the Traffic Violations Bureau by the mailing, by the vehicle owner or his agent, by certified mail, return receipt, of a certified record of the report made of said theft of the motor vehicle to any police Department, to the attention of said Traffic Violations Bureau."

IN FAVOR: No one appeared.

OPPOSED: No one appeared.

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

Sign:

  
Anne E. O'Connor  
Town Clerk

TOWN BOARD MEETING

Town Hall

11/1/72

8:00 PM

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

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

(1972-903) Councilman D'Antoni offered the following resolution:

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

Seconded by Councilman Pizzutello.

All voted Aye.

(1872-903a) Councilman D'Antoni offered the following resolution:

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

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-904) Councilman Niehaus offered the following resolution:

WHEREAS, the Town of Clarkstown has been in negotiation with the Trustees of the property of Erie Lackawanna Railway Company to lay out and establish a new public road at Prospect Street, Nanuet, New York, at grade across the tracks of the railroad, and

WHEREAS, the Trustees of the railroad are willing to grant and convey to the Town of Clarkstown, without cost or charge, an easement for the necessary right-of-way for the establishment of said road across said tracks, subject to the terms and conditions of a certain proposed Agreement relating to the establishment and protection of the crossing and allocation of the cost with respect thereto, and

WHEREAS, a Public Hearing has been duly held by the Town Board of the Town of Clarkstown, on the 1st day of November 1972, after publication of Notice of the time and purpose of such hearing as required under Section 94 (11) of the Railroad Law of the State of New York, for the purpose of considering the proposed Agreement, and no objections having been raised thereto;

NOW THEREFORE, be it

RESOLVED, that said proposed Agreement be and the same is hereby approved and adopted as and for the Agreement of the Town of Clarkstown on its part with respect to the establishment and maintenance of said crossing and crossing protection and the allocation of costs relating thereto, and that the Supervisor of the Town of Clarkstown be and he hereby is authorized and directed to execute said proposed Agreement in the name of the Town and after execution thereof carry out the terms and conditions of said Agreement upon the part of the Town to be performed.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-905) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 18th day of October 1972 provided for a public hearing on the 1st day of November, 1972, at 8:02 PM, to consider an amendment to Chapter 3 $\frac{1}{4}$  of the Code of the Town of Clarkstown entitled "Sewer District Regulations", and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that Chapter 3 $\frac{1}{4}$  of the Code of the Town of Clarkstown entitled "Sewer District Regulations" be amended as follows:

Amend Sec. 3 $\frac{1}{4}$ -6, paragraph 1 to read as follows:

- "(1) All applications for certificates of registration to construct any house sewer or do any work indicated in any connection to said system, shall be made in writing to the Superintendent, and all certificates of registration shall be granted by the Board. The fee for such certificate of registration shall be fifty dollars (\$50.00). The Applicant, before receiving such certificate, shall furnish to the Board proof satisfactory to it....."

Seconded by Councilman Piszutello.

All voted Aye.

(1972-906) Councilman Piszutello offered the following resolution:

WHEREAS, a proposed Local Law entitled "AMENDMENT TO LOCAL LAW NO. 9-1971 ENTITLED 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UNKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)" was introduced by Councilman Piszutello, a member of the Town Board of the Town of Clarkstown at a Town Board meeting held November 1, 1972, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 18th day of October 1972, directed that a public hearing be held on the 1st day of November 1972, at 8:05 PM, to consider the adoption of said local law, and

(1972-906 - continued)

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on October 21, 1972 and posted on the sign board of the Town of Clarkstown on the 21st day of October, 1972, and

WHEREAS, copies of the proposed amendment to said local law were mailed to the members of the Town Board on the 27th day of October 1972, and

WHEREAS, a public hearing was held by the Town Board on the 1st day of November 1972, at 8:05 in the evening;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 9-1972 entitled "AMENDMENT TO LOCAL LAW NO. 9-1971, ENTITLED 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UNKEEPING OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)', is hereby ADOPTED and passed by an affirmative vote of the majority of voting power of the Town Board of the Town of Clarkstown, the vote for adoption of said local law being as follows:

Hon. William E. Vines, Supervisor.....AYE  
Councilman William R. Niehaus.....AYE  
Councilman Anthony D'Antoni.....AYE  
Councilman John Lodico.....AYE  
Councilman Vincent Pizzutello.....AYE

The Town Clerk of the Town of Clarkstown was directed to file said local law pursuant to the Section 27 of the Municipal Home Rule Law.

Seconded by Councilman Niehaus.

All voted Aye.

(1972-907) Councilman Niehaus offered the following resolution:

RESOLVED, that the minutes of the Town Board meeting of 10/18/72 are hereby accepted as submitted by the Town Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-908) Councilman Niehaus offered the following resolution:

RESOLVED, that Robert W. Tigue, 7 Red Rock Rd., New City New York is hereby appointed to the position of Laborer - Sewer Department - at the annual salary for 1972 of \$6,974.00, effective 11/13/72.

Seconded by Councilman D'Antoni.

All voted Aye.

Proposed resolution re agreement between Town and Consultant for Data Processing Services -- deferred.

Proposed resolution re resignation of Barbara Chase -- deferred.

Proposed resolution abolishing position of Senior Field Clerk-- Assessor's Office -- deferred.

(1972-909) Councilman Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on October 25, 1972, that the position of Supervisor of Drug Abuse Program (town) can be established,

NOW THEREFORE, be it

RESOLVED, that the position of Supervisor of Drug Abuse Program (Town) in the Narcotic Council is hereby approved, effective immediately, and be it

FURTHER RESOLVED, that James Tambini, 138 Street Apt. 2B, Pomona, New York is hereby provisionally appointed to the position of Supervisor of Drug Abuse Program (Town), at the annual salary for 1972 of \$14,000.00, effective immediately.

Seconded by Councilman Pisantello.

All voted Aye.

(1972-910) Councilman Lodico offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on October 25, 1972 that the position of Assistant Supervisor of Drug Abuse Program (Town) can be created,

NOW THEREFORE, be it

RESOLVED, that the position of Assistant Supervisor of Drug Abuse Program (Town) - Narcotic Council - is hereby created, effective immediately, and be it

FURTHER RESOLVED, that Mitchell Rothstein, 635 East 211th St., Bronx, N Y is hereby appointed provisionally to the position of Assistant Supervisor of Drug Abuse Program (Town) - Narcotics Council, at the annual salary for 1972 of \$12,000.00, effective immediately.

Seconded by Councilman Pizutello.

All voted Aye.

(1972-911) Councilman Niehaus offered the following resolutions:

WHEREAS, the Town of Clarkstown requires an easement for a sewer pumping station in Sewer District 3B located at the property of Louis and Elizabeth Donato, more particularly described in Schedule "A" and

WHEREAS, negotiations have failed to settle the purchase of said property;

NOW THEREFORE, be it resolved that the Town Attorney be and hereby is authorized to commence condemnation proceedings to acquire the aforementioned property for a sewer pumping station in accordance with the metes and bounds description hereunto annexed (see file & insert Schedule "A").

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-912) Councilman Lodico offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on 6/30/67, and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Zoning Ordinance;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sec. 264 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Ave., New City, N Y on the 13th day of December 1972 at 8:00 PM, to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Sec. 3.11 (Table of General Use Regulations) as follows:

R-10 District, Column 2, add Item 2 as follows:

"2. Two-family residences, provided that the property shall conform to all the bulk regulations of Group M listed under Table of General Bulk Regulations and shall have frontage and access to either a Major, Secondary or Collector Road as classified on the Town Official Map, as amended."

and be it

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

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-913) Councilman Lodico offered the following resolution:

WHEREAS, the Town of Clarkstown needs additional land for the purpose of sanitary landfill and disposition of sanitary wastes, and

WHEREAS, New York Highway Products Corporation owns lots 22.02, 22.03 and 22.04 in Block A, Tax Map 105, which are contiguous with land of the Town of Clarkstown which comprise the present sanitary landfill area, and

(1972-913 - continued)

**WHEREAS**, it is necessary and desirable to proceed to acquire this property in order to satisfactorily extend the sanitary landfill area;

**NOW THEREFORE**, be it

**RESOLVED**, that the Town Attorney of the Town of Clarkstown be authorized to proceed to acquire, either by negotiation, condemnation or other procedure, the land described on the Tax Map of the Town of Clarkstown as Map 105, Block A, Lot 22.02, Map 105, Block A, Lot 22.03 and Map 105, Block A, Lot 22.04 for sanitary landfill purposes.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-914) Councilman D'Antoni offered the following resolution:

**RESOLVED**, that the Superintendent of Highways be and is hereby authorized to pave the remaining portion of the parking lot at the Town Hall Annex, said cost not to exceed \$2,000.00, and be it

**FURTHER RESOLVED**, that the cost of said paving be charged against the bond for the construction of the Town Garage.

Seconded by Councilman Lodico.

All voted Aye.

(1972-915) Councilman Nichols offered the following resolution:

**RESOLVED**, that In-Hall Construction Corp. Lafayette Ave., Suffern N Y, be and is hereby authorized to make the necessary repairs on the Three Bay Metal Garage located at the Town Hall Annex, New Hempstead Rd., New City N Y, and be it

**FURTHER RESOLVED**, that said repairs shall include the repair of the north wall of said building, the repair and repainting of the garage doors and the repainting of the entire facility, and be it

(1972-915 -- continued)

**FURTHER RESOLVED**, that the cost of said repairs not exceed \$1,037.00.

Seconded by Councilman Pizzutello.

All voted Aye.

Proposed resolution issuance two building permits, pursuant to provisions of Sec. 280-a of Town Law to Harry Solowsky for two parcels of property in Congers -- deferred by the Town Board.

(1972-916) Councilman D'Antoni offered the following resolution:

**WHEREAS**, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on 6/30/67, and further amended, and

**WHEREAS**, the Town Board of the Town of Clarkstown desires to further amend said Zoning Ordinance;

**NOW THEREFORE**, be it

**RESOLVED**, that a public hearing pursuant to Sec. 264 of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown at 10 Maple Avenue, New City, Rockland County, New York, on the 13th day of December, 1972 at 8:02 PM, to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 3.11, Table of General Use Regulations as follows:

**L10 DISTRICT:**

Column 5, Add Item 3 as follows:

**3. Automotive new car dealerships and distributorships.**

**A.** 1 free standing sign indirectly illuminated not to exceed a total sign area (both sides) of 500 square feet, not to exceed a height of 50 feet, set back 20 feet from any property line through which access to a public street is provided and further providing that the light source is not flashing.

**B.** 1 free standing sign indirectly illuminated not to exceed a total sign area (both sides) of 200 square feet, not to exceed a height of 13 feet, set back

(1972-916 -- continued)

(B. - continued)

- 20 feet from any property line through which access to a public street is provided and further providing that the light source is not flashing.
- G. 1 sign indirectly illuminated on the principal wall of the building, total sign area not to exceed 150 square feet with individual letters not to exceed 6 feet in height provided that the light source is not flashing.
- D. 2 signs non-illuminated at the service entrances affixed to the wall of the building, total sign area not to exceed 20 square feet.

and be it

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

Seconded by Councilman Lodico.

All voted aye.

(1972-917) Councilman Lodico offered the following resolutions:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on 6/30/67 and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Zoning Ordinance;

NOW THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sec. 26<sup>b</sup> of the Town Law be had at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City N Y on the 13th day of December, 1972, at 8:04 PM. to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

(continued)

(1972-917) - continued.

Amend Sec. 5.26 by deleting from the last paragraph thereof, the words "except that no parking is permitted in the front yard or within ten (10) feet of any property line.", and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of statutory hearing and that the Town Clerk cause the same to be published in the Journal News and the Rockland Independent/Leader, as aforesaid, and file proof thereof in the office of said Clerk.

Seconded by Councilman D'Antoni.

All voted Aye.

Proposed resolution terminating Certificate of Registration of O & S Excavating, Congers -- deferred.

(1972-918) Councilman Niehaus offered the following resolution:

RESOLVED, that Orange & Rockland Utilities, Inc. is hereby authorized to install four (4) 7900 lm mercury vapor street lights, one each on corner of Lakeshore Drive & Hacker Place, Nanuet; Western Highway, West Nyack; Theresa Drive, West Nyack and Dewarrest Avenue at intersection with Highland Avenue, West Nyack; at total annual increase to town of \$218.40.

Seconded by Councilman Pissutello.

All voted Aye.

(1972-919) Councilman Niehaus offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled:

ALFRED DEPALO & FLORENCE DEPALO, Petitioners, against W. REGINALD HERDMAN, THOS. COLLINS, THOS. MORAHAN, EUGENE QUAGLIA & RICHARD GARDNER, constituting the Zoning Board of Appeals of the Town of Clarkstown, Respondents,

(continuing)

(1972-919 -- continued)

**NOW THEREFORE, be it**

**RESOLVED, that the Town Attorney is hereby authorized to take whatever steps are necessary to defend said proceeding.**

**Seconded by Councilman Lodico.**

**All voted Aye.**

(1972-920) Councilman Lodico offered the following resolutions:

**WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled:**

**FINEST WIRING CORP., Petitioner**

**-against-**

**THE TOWN OF CLARKSTOWN and THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, Respondents,**

**for an Order and Judgment in the nature of Mandamus pursuant to Article 78 CPLR directing the Town of Clarkstown to submit and execute a proper contract for the furnishing of plant, labor, materials, supplies and other facilities and all things necessary or proper for or incidental to the complete installation of all electrical work in the Town Hall Addition, 10 Maple Avenue, New City N Y, pursuant to an invitation to bid therefor.**

**NOW THEREFORE, be it**

**RESOLVED, that the Town Attorney is hereby authorized to take whatever steps are necessary to defend said proceeding.**

**Seconded by Councilman Nichols.**

**All voted Aye.**

Proposed Amendment to Zoning Ordinance re Tennis Facilities - held.

(1972-921) Councilman D'Antoni offered the following resolution:

WHEREAS, the TownBoard of the Town of Clarkstown, by resolution adopted on the 5th day of July 1972, provided for a public hearing on the 13th day of Sept. 1972 at 8:15 PM, to consider an amendment to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Sec. 3.12, Table of General Bulk Regulations, Column 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, except in the case of parcels capable of sub-division into no more than two legal lots, wherein the required minimum lot frontage shall not be less than twenty-five (25) feet, with a fifteen (15) foot paved driveway.

Seconded by Councilman Pizzutello.

All voted Aye.

(1972-922) Supervisor Vines offered the following resolution:

(INSERT RESOLUTION AMENDING SEC. 2.1 (ESTABLISHMENT OF DISTRICTS; AMENDING SEC. 2.115 (DELETE R-7.5 AND INSERT R-10); AMENDING SEC. 3.11 (TABLE OF GENERAL USE REGULATIONS, AND AMENDING SEC. 3.12 (BULK TABLE); AND AMENDING SEC. 5.2 (R-10 BULK REQUIREMENTS) See following page.

Seconded by Councilman Nichols.

All voted Aye.

**RESOLUTION AMENDING THE ZONING  
ORDINANCE OF THE TOWN OF CLARKS-  
TOWN**

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WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 5th day of July, 1972, provided for a public hearing on the 13th day of September, 1972, at 8:05 P.M., to consider an amendment to the Zoning Ordinance of the Town of Clarkstown, to wit, by deleting the R-7.5 District and all references thereto, and establishing a new district to be designated R-10 Medium-High Density Residence (10,000 square feet), and

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Sec. 2.1 (Establishment of Districts) as follows:

Delete R-7.5 Medium Density Residence (7,500 square feet), and

Insert R-10 Medium High Density Residence (10,000 square feet);

Amend Sec. 2.115 as follows:

Delete R-7.5 in its entirety and insert therein:

R-10: This district permits the highest density of single-family detached housing and therefore is mapped close to the commercial facilities of the hamlet centers and for the most part reflects the existing residential character of the development;

Amend Sec. 3.11 (Table of General Use Regulations) as follows:

Delete the entire lines one (1) thru eight (8) referring to the R-7.5 District and insert the following:

Column 1 - R-10

Column 2 - Item 1. Nos. 1, 3, 4, 5, 6 and 7 of R-80

Column 3 - A. BOARD OF APPEALS, Item 1. Nos. 2, 3, 5, 6, 7, 9 and 10 of R-80.

B. TOWN BOARD, Item 1. Same as R-80; Item 2. Senior Citizen Housing subj. to Sec. 4.32 (O)

Column 4 - Item 1. Nos. 1, 2, 3, 4, 5, 6, 7, 12, 13, and 14 of R-80

Column 5 - Item 1. Same as R-80

Column 6 - Item 1. Nos. 1, 3, 4, 5, 9 and 10 of R-80

Column 7 - Item 1. Same as R-80

Column 8 - Item 1. Nos. 1, 2, 3, 4, 6, 7 and 8 of R-80  
Item 2. All uses other than a one-family residence shall obtain site plan approval subj. to Sec. 8.225;

Amend Sec. 3.12 (Bulk Table) as follows:

Delete the entire lines one (1) thru eleven (11) referring to the R-7.5 District and insert the following:

Column 1 - R-10

Column 2 - M, N and O

Column 3 - (M) Single-family residences; (N) Conversion to 2 dwelling units; (O) All other uses for which standards are not otherwise specified.

Column 4 - (M) 0.25; (N) 0.20; (O) 0.10

Column 5 - (M) 10,000; (N) 15,000; (O) 40,000

Column 6 - (M) 85; (N) 100; (O) 180

Column 7 - (M) 30; (N) 30; (O) 50

Column 8 - (M) 20; (N) 25; (O) 50

Column 9 - (M) 40; (N) 50; (O) 100

Column 10 - (M) 30; (N) 50; (O) 50

Column 11 - (M) 5"; (N) 5"; (O) 5"

TBM 11/1/72

Amend Sec. 5.2 by adding thereto as follows:

Sec. 5.26 - All pre-existing lots filed in the County Clerk's Office prior to June 7, 1972, owned individually and separated from any adjoining districts of land zoned R-7.5 on the Zoning Map dated June 30, 1967, and revised on May 22, 1972, and which cannot conform to the R-10 District minimum requirements set forth in the Bulk Table, shall be regulated by the following bulk requirements:

Minimum lot width	-	70 ft.
Required front yard	-	25 ft.
Required side yards	-	12 ft.
Required rear yard	-	20 ft.

All other bulk requirements of the R-10 District shall be complied with except that no parking is permitted in the front yard or within ten (10) feet of any property line.

Dated: November 1, 1972

(1972-923) Councilman Niehaus offered the following resolution:

(INSERT RESOLUTION AMENDING THE ZONING MAP OF THE TOWN OF CLARKSTOWN (ALL EXISTING R-7.5 DISTRICT TO BE REZONED R-15 EXCEPT FOR CERTAIN AREAS)  
(See following page.)

Seconded by Councilman D'Antoni.

All voted Aye.

(1972-924) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on the 5th day of July 1972 provided for a public hearing on the 13th day of September 1972 at 8:00 PM to consider the application of MARVIN AND RUTH HOCHBAUM to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the said petitioner from an R-15 district to an RG-2 district; and

WHEREAS, notice of said public hearing was duly published as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

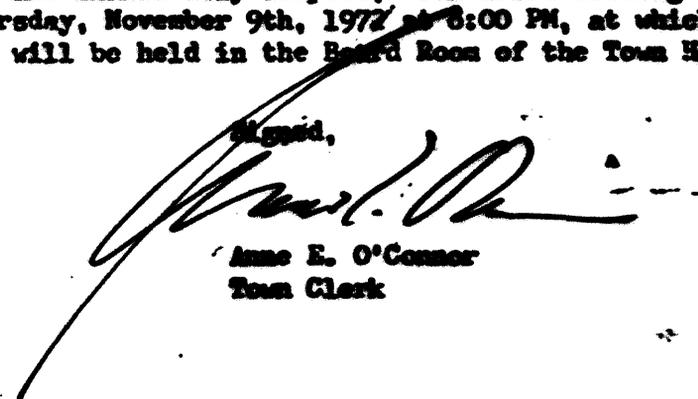
RESOLVED, that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Councilman Niehaus.

All voted Aye.

On resolution offered by Councilman Pisutello, seconded by Councilman D'Antoni and unanimously adopted, Town Board meeting was adjourned until Thursday, November 9th, 1972 at 8:00 PM, at which time 1973 Budget Hearing will be held in the Board Room of the Town Hall.

Signed,

  
Anne E. O'Connor  
Town Clerk

RESOLUTION AMENDING THE ZONING  
MAP OF THE TOWN OF CLARKSTOWN

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 5th day of July, 1972, provided for a public hearing on the 13th day of September, 1972, at 8:10 P.M., to consider the adoption of amendments to the Zoning Map of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW THEREFORE, be it

RESOLVED, that the Zoning Map of the Town of Clarkstown be and it hereby is amended as follows:

All existing R-7.5 districts to be rezoned R-15 except for the following areas as shown on the attached maps entitled "Proposed Zone Change & Amendment to Zoning Map--R-7.5 District" dated June 7, 1972:

Area E - Portions of Tax Maps 126 and 127--R-7.5 to R-10

Area J - Portions of Tax Maps 119 and 120--R-7.5 to R-10

Area N - Portions of Tax Maps 13 and 32-2--R-7.5 to R-10

Area O - Portions of Tax Maps 7, 8, 164 and 165-- R-7.5 to R-10

Area Q - Portions of Tax Map 16-2 -- R-7.5 to R-22;

Amend legend (Zoning Districts) on Zoning Map as follows:

Delete R-7.5 in its entirety and insert in its place as follows:

R-10 Medium High Density Residence (10,000 Sq. Ft.)

Dated: November 1, 1972