

PUBLIC HEARING

Town Hall

4/9/75

8:15 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Sup. Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobson

RE: ZONE CHANGE APPLICATION MADE BY TORSOE BROS. CONSTRUCTION
(LO to R-15) - PROPERTY LOCATED E/S GREENBUSH ROAD, NORTH
OF ROUTE 59, WEST NYACK N Y:

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

Henry Horowitz, Esq., 55 Virginia Ave., West Nyack
N Y appeared before the Town Board as attorney for petitioner,
presenting affidavits of service of notice of hearing as served
on property owners as listed on the latest assessment roll whose
property or any portion thereof lies within 500 feet of any
boundary line of the property to be affected.

PLANNING BOARD RECOMMENDATIONS:

(Disapproves) --

COUNTY: Approves subject to requirement of GML which requires
a vote of "two thirds of all the members" or "majority plus one"
to act contrary to the above findings.

TOWN:

"....The Planning Board has no objection to granting
of an R-15 zoning for the Torsoe Brothers Construction Corp.
property. However, the Planning Board points out the existence
of certain severe slopes that, among other effects, might make
it difficult to comply with grade specifications for town roads.

The mandatory inquiry and determination has been
made and the Planning Board submits its findings as follows:

a: The uses permitted by the recommended change
would be appropriate in the area concerned; except for portions
overlooking the NYS Thruway or touching a long-existing rural
cemetery, 100% of the property boundaries are with R-15 land
conforming to the 1966 and 1971 Comprehensive Town Development
Plans.

b: Adequate public school and other public services
already exist or can be created to serve the R-15 dwelling
units capable of being constructed on the approximately 25
acres of total property; the area is almost equally divided
between the Clarkstown and Nyack School Districts.

c: The proposed change does conform with existing,
proposed and normal plans for water and sanitary sewer service
to the area,

d: The amount of vacant R-15 land available in the
vicinity is insignificant,

e: The recent development of R-15 land in the
vicinity is therefore also insignificant,

f: The recommended change to R-15 will have little
or no effect of itself on existing communities as proposed in
the 1966 and 1971 Comprehensive Town Development Plans.

(continued)

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 TORSOE BROTHERS

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TOWN PLANNING BOARD HECCO. - cont.:

g. An increase of the order of one quarter of one percent of total residential capacity of the town will result from the recommended change. There might be a very minimal constant dollar decrease in the cost of public services (there being no demand for additional public construction, the tax base will increase slightly);

h. The area recommended for change to R-15 is small to affect similiarly zoned areas, or to require any compensatory reduction of the existing stock of residentially zoned land in the town;

i. No additions need be made to non-residential land so as to provide for any new demand for commerce or employment created by the limited extent or nature of the recommended change to R-15.

DOT (To Town P/B): "... R-15 would have much less runoff plus much less traffic. Therefore, the department would be most satisfied with R-15 zone for the subject property."

CCSD#1: Wish to discuss implications involved since 1/2 lies within boundaries of school district.

Mr. H. Horowitz, Esq., West Nyack N Y appeared before the Town Board as attorney for petitioner and, aided with maps, stated the following:

Petitioner is owner of parcel of property consisting of 24.354 acres located in the easterly portion of the town bounded on the north by the New York State Thruway, on the south by Route 59, and on the west by Greenbush Road.

A rectangular portion of the parcel fronting on Greenbush Road consists of 1.448 acres and is presently zoned as R-15; and another rectangular portion of this parcel fronting on Route 59 consisting of 2.252 acres is presently zoned as L0; and the balance of the property consisting of 20.654 acres is also presently zoned as L0.

Purpose of this petition is to request the rezoning of the aforesaid 20.654 acres from L0 to R-15. Lands to the north of the area proposed to be rezoned are zoned as R-15 and developed with one-family detached dwellings; that the lands to the east, while zoned as CS and L0 are developed with one-family detached dwellings; and that the lands to the south are vacant and zoned as R-15.

Requested rezoning would not introduce a "foreign" zone into the area but would actually eliminate a "foreign" zone and blend with the present R-15 designation existing on the north and south sides of the parcel.

(cont)

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(H. Horowitz - attorney for petitioner - cont.)

This parcel was the subject of previous rezoning petition requesting the RG-2 designation and denied by the present Town Board because of its concern for drainage and traffic.

Development under the proposed R-15 as compared to the present L0 would produce less than one-half of the runoff during any rainfall. Development of 20.7 acres as L0 with the permitted floor area ratio and parking requirement could produce 1800 cars and maximum number of single family detached dwellings on 20.7 acres of R-15 would be 50, which should yield 100 vehicles.

Site has adequate community facilities to provide for the needs of future residents and the health, safety, welfare and morals of the town would not be adversely affected.

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 of the property within five hundred feet of the boundaries of any city, village, town, county, state park, but that a portion of the premises is within five hundred feet of the NYS Thruway.

Supervisor Garber inquired of Mr. Horowitz as to where school district line was through this property. Reply was that applicant does not know; that within a week they can come up with an approximation. (Upon presentation of school district map (SD 1 and 6) it was determined that it was equally divided between the two - line right through the middle.)

IN FAVOR: No one appeared.

OPPOSED:

Mr. Anthony Wensala, 54 North Greenbush Road, West Nyack:

Request plot plan new with actual clustering of housing. Top portion should be considered as not buildable and should be kept open and not used. This parcel within Nyack School District, not Clarkstown (speaking of parcel not buildable). Clarkstown would receive large impact than originally utined. Entrances into parcel should be indicated on plot plan. 1.55 acre parcel originally showed entrances. This is serious traffic problem because it is curve of clover leaf. Other entrances applicant requesting (200' piece) should be included with R-15 and should be used as ingress and egress. This would give us a little more relief in Greenbush area.

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OPPOSED - cont.:

Mr. Braithwaite:

Change whole parcel instead of one particular piece in L0 zone. What is his intention?

Mr. Charles Garrison (Speaking on behalf of the Nyack School Board):

Half of the homes would be on that property within the Nyack School District. Approximately 26 homes would be built. Would generate 30 children in the School District. Cost increase of school district would be \$74,000.00. State funds available to the school would decrease that by about 30%. Valuation per home would be approximately \$60,000.00. Based on current tax rate, the aggregate taxes would be \$10,200.00. Increased cost to the district would be approximately \$43,000.00. Schools in the Nyack School District are currently overcrowded. Nyack School Board opposes proposed change.

Mr. William Osgood, 30 Sunsetview Drive, West Nyack:

Opposed to leaving strip of L0. Make whole property R-15; do not leave L0 for future stores, etc. How would access to property be attained? - Opposed.

Mr. James Panos, Greenbush Road, West Nyack:

Would be danger to children - more cars on street. Also re runoff; water high off creek on rainy day now.

Mr. Owen Reilly, Sunsetview Drive, West Nyack: (Closest to property up for rezone)

Plot Plan should be submitted before approval given. Re drainage; problem on the hill now and could be worse. Hill is solid rock right up to the surface. Building would require blasting. Considerable damage done when sewers put in because of this condition.

Ms. Ann Conway, Congers Road, New City: If there is any doubt as to drainage, study first before granting. We need more information.

(cont)

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OPPOSED - (cont.)

Mr. Henry Sauter, 28 Sunsetview Drive, West Nyack:

Position of this 25 acres not buildable. Certain portion going into roads, certain portion remaining in L0. What portion would be buildable? How many homes will be on this land that is available? How will roads go to Route 59 and Greenbush? If roads go on to Greenbush - no good. It is now crowded with people who live there. If more traffic comes out on to Greenbush, it will be more dangerous. Re drainage, will be problem if not handled properly. This plan impractical.

Ms. Barbara Osgood, 30 Sunsetview Drive, West Nyack: (Backs up to the property in question)

What does petitioner intend to put on that property; what are his plans?

Mr. Baker (for Burnweit): Drainage bad now, how will they handle?

REBUTTAL: (Mr. H. Horowitz - attorney for petitioner):

Re Plot Plan; petitioner must process a subdivision before the Planning Board. They are considering all aspects --traffic, drainage, etc. It must also be reviewed again by the county Planning Board. There must be two additional public hearings re what is being done re drainage, traffic, location of dwellings, etc. There must be public hearings where notice is sent to same people here this evening. At this point it is impossible to tell what road network will be. State must grant right of way for us to get in and out. It must also receive approval of Town Planning Board and County Planning Board.

We are working with drainage consultants report. Drainage will be less than 1/2 if property remains L0.

Traffic if L0, 1880 cars. If R-15 (50 units) - 100 cars.

Re not requesting change of neck going out to Route 59, it is zoned L0. We intend to use that piece of land for L0 use.

Re School District discussion; there was proposal before this Board which would have been a very nice economic zone.

Over 90% of property sought to be rezoned abuts on land presently zoned as R-15. Requesting that Board place the property back to its former zone.

(cont.)

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TORSOE

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There being no one further wishing to be heard, 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

4/9/75

8:30 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Supervisor Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobson

RE: PROPOSED AMENDMENT TO LOCAL LAW 2-1964 AS AMENDED (FIRE OR EXPLOSION):

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

Proposed amendment is as follows:

Amend Section 47-11A. by adding new paragraph thereto as follows:

"A permit with accompanying fees shall not be required pursuant to this Article, for Senior Citizen Housing Projects approved under the provisions of Section 106-16 O. of the Code of the Town of Clarkstown (Zoning Ordinance)."

Building Inspector Robert Bowman sworn in and testified as follows:

This would not exempt Senior Citizen Housing from inspection requirements; it just waives the fees. Reduction of fee would be in the amount of \$313 per annum.

IN FAVOR: Ms. Ann Conway, New City

OPPOSED: None

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

Signed,



Anne E. O'Connor
Town Clerk

GEB188

PUBLIC HEARING

Town Hall

4/9/75

8:45 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Supervisor Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobson

RE: ZONE CHANGE APPLICATION MADE BY ROSE STERNGASS (LS & R-80
DIST. to RG-2 DIST. -- OR IN THE ALTERNATIVE TO RG-1 DISTRICT:

Supervisor Gerber called public hearing to order; Town Clerk testified as to proper posting and publication of notice of public hearing and receipt of affidavit of service of said notice by petitioner on property owners whose property lies within 500 feet of boundary line of property in question.

CORRESPONDENCE:

COUNTY PLANNING BOARD: (Recommendation):

Disapproves - Approves subject to conditions that GML requires a vote of "two thirds of all the members of Town Board to act contrary. Reasons for their recommendations are as follows:

Adverse to State Road and State Park

1. Excessive residential density not in conformity with County Land Use Plan.
2. Stimulus to additional intensive residential changes in an area that is not a village or hamlet center.
3. Would require access onto route 9W at dangerous location where autos travel at high speeds after coming down Hook Mt. hill, taking a curve with limited sight distance.

TOWN PLANNING BOARD:

DENY for the following reasons:

1. For rational development and improvement of the applicant's property, an overall approach is needed: the matter is not only the 7.1 acres of Sterngass, but an area that might reach 25 acres (bungalow, colony, summer camp, single family, multi family, etc.)
2. The present access system of the area is private, consisting of three paper streets that are not interconnecting, but independent....the petition may have merit solely if based on agreement that the area be subject of comprehensive planning; as a unit; based on some reasonable and logical development plan.
3. The applicant states that the present density of residence on his property is about 17 du's per acre: this is far in excess of the density shown on the Master Plan, i.e. 2-3 du/acre.
4. Sanitary sewers are not available in Route 9W to service the subject area of property, on which there is raw sewage effluent in places,
5. Based on the application as it stands, the uses that would be permitted if the proposed zoning change were granted are not appropriate to the area concerned.
6. Access from the area development to Route 9W presents problems under present conditions; any new development should be served by interior roads with a minimum number of curb cuts, and any zone changes should include this requirement.

(cont)

CORRESPONDENCE:

Clarkstown Central School District #1: State Aid insufficient to cover present enrollments without additional children. Increase in population density increases school taxes. School Board opposed.

J. Mendelson, Esq., appeared before the Town Board as attorney for petitioner and stated the following:

Petitioner, Rose Sterngass, is contract purchaser of premises on Route 9W, Rockland Lake N Y presently owned by Development Enterprises Inc. and ESCA Realty Corp. Premises do not lie within a distance of 500 feet from the boundary of any city, village, or town; or from the boundary of any county or state park or other recreational area (except that each parcel is adjacent to land owned by the PIP)

LS portions are improved by a number of buildings rented on a motel basis and operated on a year round basis by the separate present corporate owners.

There would be a companion application by same petitioner for extension of sewer district. Town Attorney states this is inappropriate at this time. He was informed by the Supervisor and the Town Attorney that you cannot extend something that does not exist. We no longer have any sewer districts. Petition you submitted for said extension will not be taken up this evening; it will be returned because there is no condition existing that would call for a public hearing.

Town Attorney informed Mr. Mendelson that town is at present looking at other master benefited areas, but we no longer have sewer districts in the town.

Attorney for petitioner presented letters from the President of the Rockland County Building and Construction Trades Council and the United Brotherhood of Carpenters and Joiners of America stressing need for employment for those in the building trade in the county.

Jacob Mendelson, attorney for petitioner stated the following:

Representing petitioner, Mrs. Rose Sterngass who is contract holder and owner of parcels in question this evening. Property now operated under a cottage-motel situation. There have been problems between property and the town that have been beyond the control of the petitioner. For that reason, as well as others, we are asking for zone change.

Property she now has pays real estate taxes of \$10,000. a year. Petitioner intends to invest her money (three million six hundred thousand dollars) \$3,600,000.00. Cost of building 120 condominium units estimated at \$30,000. will aggregate \$3,600,000.00. Assuming continued 100% equalization assessed value, this property, when completed, land and building, will have assessed value of close to Four Million Dollars, and would produce in taxes \$150,000.00 per annum.

(cont)

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(Mr. Mendelson, attorney for petitioner - cont.)

In addition, of the almost four million dollars that will be spent, at least two million dollars will go for labor.

(Read letters from Messrs. Damiani and Sopko (of the building trades) stating that '70% of construction workers unemployed'.)

Condominiums must comply with laws of the State of New York. Approval takes six months to a year.

WITNESS:

Mr. Edward C. Paimenberg, P.E., Nassau N Y: (Sworn in by Supervisor and testified as follows:)

is familiar with property. This area in past years, recreational. They were then converted to year-round homes. This has been in violation of the Zoning Ordinance. These older buildings should be transformed into something modern.

Re sewers, drainage and accesses; these problems exist now.

Planning Boards state that if area changed, it should not be done on individual basis. 20 acre parcel -- approximately 20 properties on it. Surrounded on all three sides by PIP. R-80 zone will remain undeveloped.

W/S Route 9W, also PIP. Area not owned by PIP on west is undeveloped at this time and is shown 1S. Total tract is bounded by park area.

Re formation of sewer district, it should be sewerd. PIP has problem. It is mutual solution to sewerage problem on e/s and to the w/s. We have discussed this and it can be done. We want to participate in this program with the PIP because it is needed in the area.

Town Planning Board and I developed land usage map of area. Eight (8) accesses on to Route 9W at this time serving groups of properties in the area.

80-90 units -- 40 bathrooms - exist there now. These buildings (3 properties) are supporting 100 or more dwelling units with many children. Children are there, people are there, residences are there -- we are trying to modernize these structures.

Ground water in area at present. We came up with plan for total area which is not only for the petitioners. Building two access roads and putting in sanitary sewers, storm sewers, putting public road in the middle and still having proper intersections.

Question: Plot that separates, is that sufficient egress to Route 9W?

Answer: (Mr. Paimenberg): Not right now. People living there. Road would go through that property. Hold fallow until adjoining lands are built up or a 50' MOW is provided. Applicant should have same number of units that he has now either on two or three properties.

(cont)

(Mr. Palmenberg - cont.)

Number of children on three parcels attending school -- 45-50. In September, additional 10-15 at this time.

Has agreement that adjoining property owners would go along with sewer plan.

Number of families in area at present. 235 units on all of the property now. 19.99 acres in tract. Children in entire area - 90-100. On Sterngass property - 40-50.

WITNESSES:

Mr. Rueben Sterngass, (husband of the Petitioner): Ridge Road, Valley Cottage:

Approximately 120 sleeping units on 7 acres. Neighboring properties being affected by this proposal -- 80% of assessed valuation has signed petition to have area sewered (20 acres). How, is up to the Town Board. Change of zone is to benefit entire area - Sewer Facilities being made available to entire district.

<u>On 7 Acres:</u>	98 Efficiencies
(RG-1)	82 One-Bedroom
	68 Two-Bedroom
(Mi-2)	122 Efficiencies
	98 One-Bedroom
	82 Two-Bedroom

IN FAVOR: No one appeared

OPPOSED:

Mr. John Hekker, Representing Mrs. Emma Cozzi:

Mrs. Cozzi owns portion in between two pieces of property named in this petition. Mrs. Cozzi has lived there 35 years. She has ten bungalows and two apartment units. They ran colony until 4-5 years ago when Ms. Sterngass purchased the Floridian, which is to the south of her property up the hill.

Since that time, she has had trouble with overflow of sewerage and drainage on to her property.

Re zoning, this would not be to the future benefit of the community. Petitioner is only proposing sewers for this entire property, only if he gets zone change. County Board of Health is holding him in violation on these three properties. Mr. Sterngass' property (bungalows) slums. Cozzi property not.

Re Two Million Dollar investment; they will not invest this unless they get zone change. They should invest that to clean up what they have now. The only one in violation is the Sterngass properties. (Showed copies of violation orders) This is spot-zone.

(cont)

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(Mr. Hekker - cont.)

Proposal: Any person, firm or corporation that is in violation of any municipal ordinance, county ordinance, at time he makes application for any relief before the town, should be denied before that violation is corrected. (Submitted copies of violations)

OPPOSED: - cont:

Resident, 13 George St., Rockland Lake:

Mr. Sarbend, George St., Rockland Lake

Ms. Ann Conway, New City

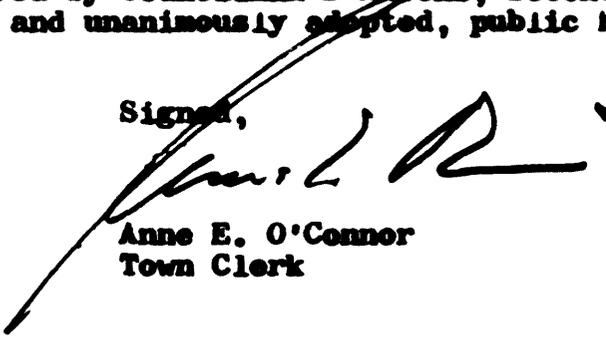
REBUTTAL: (Attorney for Petitioner - Jacob Mendelson):

New York State Bar Association conducted Symposium on Condominium Practices.'Many housing economists predict that approximately 50% of the population of the United States will live in some type of condominium in the next 20 years.'

Councilman Lodico inquired of Mr. Mendelson that if areas A & B (as shown on map) were considered as a unit, would petitioner consider developing that parcel in view of modern clean-up approach? Mr. Mendelson replied in the affirmative.

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

Signed,



Anne E. O'Connor
Town Clerk

PUBLIC HEARING

Town Hall

4/9/75

9:00 PM

Present: Co. Lodico, D'Antoni, Lodico, Maloney, Supervisor Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobson

RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO AMEND
SECTION 106-17C AND SECTION 106-10A: (PRIMATES)

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

Application is to permit primates for lab/experimental
purposes.

COUNTY PLANNING BOARD: Disapproves. Approves subject to
GML requirement that a vote of two thirds of all members
or majority plus one of the Town Board required to act
contrary to the above findings.'

Proposed amendments read as follows:

Section 106-17. Prohibited Uses.

Amend Section 106-17 C. to read as follows:

C. Operations involving stockyards and
SLAUGHTERHOUSES, GRAIN ELEVATORS, SLAG PILES, and keeping,
breeding, and raising of foxes, minks, pigs or primates for
commercial or laboratory purposes, provided, however, the
keeping and use of primates for laboratory and experimental
purposes, within the same premises, is a permitted accessory
use in all zones in which laboratories are a permitted use.

Amend Section 106-10A, Table of General Use Regulations
as follows:

Table 8, L0 District and Table 13, MBS District,
Column 4, add Item No. 9 thereto as follows:

9. "The keeping and use of primates for laboratory
and experimental purposes within the same premises."

Table 14, L10 District and Table 15, M District,
Column 4, add Item No. 10 thereto as follows:

10. "The keeping and use of primates for laboratory
and experimental purposes within the same premises."

Murray N. Jacobson, Town Attorney stated the following:

We have learned that labs which either are located in
the town or want to be located in the town want to use primates,
so we are including the use of primates only if they are used
on the premises. Just the keeping for experimental use within
the same premises.

There were no questions.

IN FAVOR: Ms. Ann Conway, New City N Y

(cont)

GEB188

PRIMATES

IN FAVOR - cont:

Mr. Daniel T. Brucker, Valley Cottage (Representing Bechton-Dickson Co. which operates Carworth Farms):

This proposed amendment would affect Bechton-Dickson property. We are in favor. It will enable us to continue to use the facility, employ people, and maintain desirable ratable for the township.

OPPOSED: No one appeared.

Councilman Maloney inquired as to what kind of tests would be conducted on the primates. Mr. Brucker replied that basically they would be lab tests testing compounds. There would be no testing of animals for diseases.

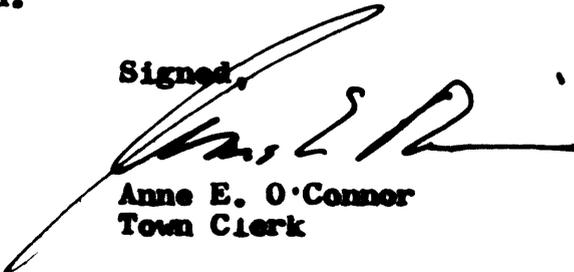
Councilman Maloney: What type of compounds would be used, what do you hope to gain from this testing? Mr. Brucker: Center operates a lab; it does testing work. In connection with the testing, it tests compounds for other companies. For instance, a company might have a saive or cream and they would like to see what affect it would have on skin so they test it out on small animals. This would not be virus test or anything of that nature. This would be cosmetic testing only.

WITNESS:

Dr. Roy Dagnall: We test compounds for toxicity. Compound could be cosmetic or food additive. We use rhesus monkeys. Testing is done by inhalation, on skin and through stomach.

There being no one further wishing to be heard on the matter, 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

4/9/75

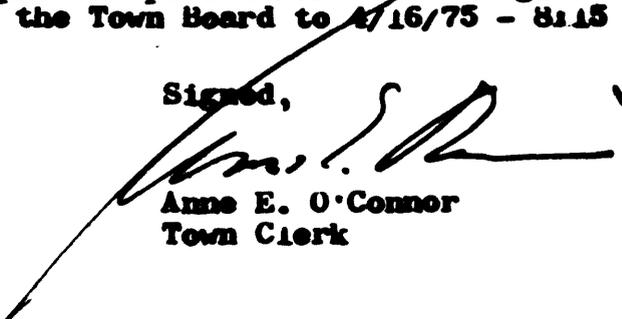
9:15 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello. Superv. Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobsen

RE: PROPOSED EXT. OF CLARISTOWN CONSOLIDATED WATER SUPPLY DIST.
#1 TO INCLUDE GEORGETOWN MANOR SUBDIVISION:

No one present to represent petitioner - Town Engineer not present -
Hearing adjourned by the Town Board to 4/16/75 - 8:15 PM without
prejudice.

Signed,


Anne E. O'Connor
Town Clerk

TOWN BOARD MEETING

Town Hall

4/9/75

8:00 PM

Present: Co. D'Antoni, Lodico, Maloney, Pizzutello, Supervisor Gerber
Town Clerk Anne E. O'Connor
Town Attorney Murray N. Jacobson

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

AMENDED 4/14/75 #3277

(1975-284) Co. D'Antoni offered the following resolution:

WHEREAS, it has been determined that the County of Rockland has a shortage of \$1,746,061.04 in its receipts for the County Taxes for the year 1974, and

WHEREAS, an investigation has been made regarding this shortage by the Office of the State Comptroller, Division of Municipal Affairs, and their report issued to the Chairman of the Legislature of the County of Rockland and the Supervisor of the Town of Clarkstown, and

WHEREAS, the report contains the following conclusions:

1. "In the final analysis, the responsibility for the error rested with the County and more specifically with the County Legislature as then constituted."

2. "In the course of our review, we were asked to identify the legal remedies available to resolve this matter. Based on our review of existing law, we find no remedy which addresses this problem."

WHEREAS, Officials of the County of Rockland are covered by surety bonds or undertakings which insure the proper performance of their duties, and

WHEREAS, the situation is properly one in which the County of Rockland should collect from its sureties the amount of the shortage in question, and

WHEREAS, on January 23, 1975 George S. Gerber, Supervisor of the Town of Clarkstown, in a letter to the Chairman of the Rockland County Legislature, called upon the County of Rockland to exercise its rights under its surety bonds or undertakings in order to collect the amount in question, and

WHEREAS, to our knowledge no action has been taken by the County of Rockland to collect the shortage from their sureties,

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby calls upon the County of Rockland to take action against all surety bonds and undertakings which insure the public officials of the County of Rockland whose errors caused the shortage of funds, and be it

(continued)

GEB188

(1975-284 - continued)

FURTHER RESOLVED, that in the event that the County of Rockland fails to take action against the sureties within thirty days from this date, the Town Attorney of the Town of Clarkstown is hereby authorized to take any necessary legal action to protect the rights of the Town of Clarkstown and its taxpayers in this matter.

Seconded by Councilman Maloney.

All voted Aye.

(1975-285) Co. D'Antoni offered the following resolution:

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

Seconded by Co. Pizzutello.

All voted Aye.

(1975-286) Co. Maloney offered the following resolution:

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

Seconded by Co. Ledico.

All voted Aye.

(1975-287) Co. D'Antoni offered the following resolution:

RESOLVED, that decision on zone change application made by **TORSOE BROTHERS CONSTRUCTION CORP. (LO to R-15)** for property located on the e/s of Greenbush Road, north of Route 59, West Nyack NY be RESERVED.

Seconded by Co. Pizzutello.

All voted Aye.

(1975-288) Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled "AMENDMENT TO LOCAL LAW NO. 2-1964, AS AMENDED, ENTITLED 'LOCAL LAW PROVIDING FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION'", was introduced by Councilman John Ledico, Sr., at a Town Board meeting held March 5, 1975, and

(continued)

(1975-288 - continued)

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 5th day of March 1975 directed that a public hearing be held on the 9th day of April 1975 at 8:30 PM to consider the adoption of said local law, and

WHEREAS, a notice of said public hearing was duly prepared and published in the Journal News on March 27, 1975, and posted on the sign board of the Town of Clarkstown on March 27, 1975, and

WHEREAS, copies of the proposed local law were mailed to the members of the Town Board on the 7th day of March 1975, and

WHEREAS, a public hearing was held by the Town Board on the 9th day of April 1975 at 8:30 PM;

NOW THEREFORE, be it

RESOLVED, that Local Law No. 1-1975 entitled "AMENDMENT TO LOCAL LAW NO. 2-1964, AS AMENDED, ENTITLED LOCAL LAW PROVIDING FOR REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION" 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: (Seconded by Co. Pizzutello)

Hon. George S. Garber, Supervisor.....AYE
Councilman John R. Maloney.....AYE
Councilman John Lodice, Sr.....AYE
Councilman Anthony D'Antoni.....AYE
Councilman Vincent Pizzutello.....AYE

(1975-289) Co. D'Antoni offered the following resolution:

RESOLVED, that decision on zone change application made by ROSE STEINGASS (Ls & R-80 to R1-2, or in the alternative R1-1) for property located on Route 9W, Rockland Lake N Y is hereby RESERVED.

Seconded by Co. Maloney.

All voted Aye.

(1975-290) Co. D'Antoni offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on the 19th day of March 1975 provided for a public hearing on the 9th day of April 1975 at 9:00 PM to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

(continued)

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(1975-290 - continued)

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:

Section 106-17. Prohibited Uses.

Amend Section 106-17 C to read as follows:

C. Operations involving stockyards and slaughter houses, grain elevators, slag piles, and keeping, breeding, and raising of foxes, minks, pigs or primates for commercial or laboratory and experimental purposes, within the same premises, is a permitted accessory use in all zones in which laboratories are a permitted use.

Amend Section 106-10 A, Table of General Use Regulations as follows:

Table 8, LO District and Table 13, MBS District, Column 4, add Item No. 9 thereto as follows:

9. "The keeping and use of primates for laboratory and experimental purposes within the same premises."

Table 14, LIO District and Table 15, M District, Column 4, add Item No. 10 thereto as follows:

10. "The keeping and use of primates for laboratory and experimental purposes within the same premises."

Seconded by Councilman Ledice.

On roll call the vote was as follows:

AYES: Co. D'Antoni, Ledice, Pizzutello, Super. Gerber
ABSTENTION: Co. Maloney

MOTION CARRIED.

(1975-291) Councilman D'Antoni offered the following resolution:

WHEREAS, the Town Board of The Town of Clarkstown at a Town Board meeting held on March 19th, 1975, signed an Order setting date of public hearing in the matter of the petition for extension of the Clarkstown Consolidated Water Supply District #1 to include GEORGETOWN MANOR, and

WHEREAS, said Order set date of public hearing re said proposed extension for April 9, 1975 at 9:15 PM, and

WHEREAS, no one appeared at said public hearing on behalf of the petitioner,

NOW THEREFORE, be it

RESOLVED, that hearing to extend the Clarkstown Consolidated Water Supply District to include GEORGETOWN MANOR be adjourned until Wednesday, April 16th, 1975 at 8:15 PM, without prejudice, and be it

FURTHER RESOLVED, that the Town Clerk need not re-advertise or re-post notice of said hearing.

Seconded by Co. Maloney.

All voted Aye.

There being no further business before the Town Board, on resolution offered by Councilman Ledice, seconded by Councilman D'Antoni and unanimously adopted, Town Board meeting was adjourned until Wednesday, April 16th, 1975 at 8:00 PM, at which time regularly scheduled Town Board meeting will be held in the Board Room of the Town Hall.

Signed,



Anne E. O'Connor
Town Clerk

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