

**MINUTES
HISTORIC AREAS BOARD OF REVIEW
NOVEMBER 10, 2015**

MEMBERS PRESENT: Scott Wheatley
 Wayne Garrison
 William Walther
 Margaret Raso
 Larry Bucciarelli
 Thano Schoppel

ABSENT: Joseph Chabot

ALSO PRESENT: Deborah Arbolino, Administrative Aide
 Denise Sullivan, Deputy Town Attorney
 Ann Marie Ambrose, Official Stenographer

Margaret Raso, Chairperson, called the meeting to order at 7:30 p.m. Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

<u>APPLICANTS</u>	<u>DECISION</u>	<u>HABR #</u>
CHUNG RESIDENCE 246 Route 9W, Palisades 78.17 / 2 / 18; R-40 zoning district	DENIED	HABR#15-15
FEENEY 14 Brandt Avenue, Tappan, 77.10 / 3 / 25; R-15 zoning district	WINDOWS APPROVED	HABR#15-19
ANDRIANOS & MALOOF 46 Closter Road, Palisades 80.05 / 1 / 20; R-40 zone	ALTERATION/ ADDITION APPROVED	HABR#15-20

OTHER BUSINESS:

Reilly/Orefice Residence: amendment to HABR#15-01, to keep the existing gravel driveway and not install the pavers that were proposed on January 13, 2015. Larry Bucciarielli made a motion to Approve the gravel driveway as presented subject to ZBA Approval of a Gravel Driveway Variance; which motion was seconded by Wayne Garrison and carried unanimously.

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THE DECISIONS RELATED TO THE ABOVE HEARINGS are inserted herein and made part of these minutes.

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 10:00 P.M.

DATED: November 10, 2015

HISTORIC AREAS BOARD OF REVIEW

BY: *Deborah Arbolino*
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
BUILDING INSPECTOR (Individual Decisions)
TOWN BOARD MEMBERS SUPERVISOR

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DECISION

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DENIED

TO: Marc Comito (Chung)
Comito Construction Co.
P.O. Box 300
West Nyack, New York 10994

HABR # 15-15 CHUNG
September 8, 2015
October 13, 2015
November 10, 2015

FROM: HISTORIC AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR#15-15: Application of Young Ju Chung for review of a new single residence located at 246 Route 9W, in the Town of Orangetown, Hamlet of Palisades, New York. Chapter 12, Section 12-4(A), Historic Areas Board of Review.
Tax Numbers: 78.17 / 2 / 18; R-40 zoning district.

Heard by the HISTORIC AREAS BOARD OF REVIEW at meetings held on the following Tuesdays, September 8, 2015, October 3, 2015 and November 10, 2015 at which time the Board made the following determination:

SEPTEMBER 8, 2015 MEETING:

At the September 8, 2015 meeting, Jay Greenwell, Land Surveyor, Marc Comito, Builder, Francois Nicholas of Robert Hoene, Architect's office, appeared for the applicant.

Board member Thano Schoppel was absent for the September 8, 2015 meeting. Larry Bucciarielli recused himself because he is an abutting property owner.

The following documents were presented for the September 8, 2015 meeting:

1. Plot plan labeled "Plot Plan for Building Permit Chung" dated July 8, 2015 signed and sealed by Jay Greenwell, L.S. and Paul Gdanski, P.E. (1 page)
2. Architectural plans labeled "Chung Residence" dated 3/5/3013 with the latest revision date of 7/15/2015, by Robert Hoene, Architect. (7 pages)

Jay Greenwell, Land Surveyor, stated that the property is a secluded lot of two (2) acres; that this lot will share with another Chung owned lot for driveway access; the applicant has three separate tax lots for the access easement; that it shares lands with other lands of the applicant; that it abuts Bauman, Luca and Palisades Cemetery to the Southeast, Bucciarelli to the South, South Orangetown School District to the west and is bisected by the 20' wide Tennessee Gas easement and Federal Wetlands from the old driving range; that the Chungs' have no intention to subdivide or develop the vacant property; that the applicant will go before the Zoning Board of Appeals for a variance for street frontage and to ACABOR for plantings; that the house will not be visible from Route 9W; and they would like to request a continuance to take into consideration the comments from the public.

Marc Comito, Builder stated that the proposal is for a stucco house with a slate roof that is on a secluded lot off of Route 9W; that the property lot is flat but they are proposing to add six (6') feet to the grade in order to have positive drainage for the basement to daylight; that a swale would be installed to a galley of drywells and the overflow would be directed into the wetlands; that the house could need two additional steps because of the change in grade; that the roof scaled to thirty-eight (38') feet at its highest point; that there would be natural stone at the water table all around the house with a bluestone cap; that the roof would be real slate; that the trim would be colonial in style; that the house would look similar to the house at 10 Kopac Lane; that the doors would have coach lights and they would also be placed between the garage doors; that the railings would be decorator black aluminum; that the stucco would be beige; that the air conditioner would be on the west side of the house; that there would be two (2) chimneys, one would be stucco and the one in the rear guest house would be stone to match the water table; that the existing entrance to the property would be shared; that the client was instrumental in the design process of the house; that it was changed several times and got larger to accommodate the clients' needs; that there are a tremendous amount of large mature trees on the perimeter of the property that would obstruct the house from the outside; that the existing house on one of the lots

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is 15,000 sq. ft.; that they would be willing to plant fast growing evergreens if the Board wanted that done; that they are one-tenth (1/10) of a mile away from other light sources and they will blend with other light sources.

PUBLIC COMMENT:

Larry Bucciarelli, 700 Oak Tree Road, Palisades, New York, the owner of property directly abutting the subject property, stated that the one-tenth (1/10) of a mile comment is not true; that this structure would be sixty-five (65') from his back yard; that adding six to eight (6'-8') feet to the grading would not be compatible to the area; that the height would not blend; that this house is even larger than any of the houses that were constructed on Kopac Lane; and that no planting plan was submitted. This house will show light through the woods; and it will be visible.

Alice Gerard, 80 Corbett Lane, Palisades, New York, thanked the Board for mentioning harmony as it is an important word in the Code; and read from Town Code Chapter 12-4 B: "... and proposed new structures shall harmonize with the surrounding buildings yet not necessarily recall any historic style"; that there is not any structure in the immediate area close to the proposed square footage of this building; that she is concerned about drainage run-off from the building if it is raised six (6') feet, because she is on the board for the Cemetery; and as a historian, just because you can build bigger doesn't mean that you should.

Lynne Sandhaus, 201 Route 9W, Palisades, New York, stated that she is concerned with the size of the house; that if this is granted it will set a precedent that it is okay; that this is not Alpine, New Jersey; that she does not understand what two people need such a large house for; and she asked the Board: What does the Historic District mean if this house is permitted?; this house has nothing to do with the community; that there are rumors, that this is not going to be a residence and that she lives in a house that was built in the late 1600's or early 1700's and does not favor this application.

Susan Nemesdy, 19 Lawrence Lane, Palisades, New York, stated that the house is enormous; that it is a monstrosity; that it belongs in Alpine New Jersey; that this is out of control with the neighborhood; that Kopac Lane doesn't belong in the Historic area of Palisades; that what is the purpose of the Historic Board if they allow this to go forward; that next people will be coming in to tear down older historic homes and proposing these monsters. That this proposal will affect Hey Hoe Woods Road.

Blythe Anderson Chase, 286 Route 9W, Palisades, New York, stated that she has lived here for sixty-five (65) years as she built a home behind her parents' house; that the trees do get bare and she can see the lights through Hey Hoe Woods Road and from Kopac Lane; that this house is just too large.

Phillip Bauman, 236 Route 9W, Palisades, New York, stated that he has lived in his present home for twenty (20) years; that they were drawn to Palisades because of its historic nature; that the people that created the historic district and its laws did a good job; that if the rules are enforced Palisades will keep its unique character; that he has observed recently that the community is changing with some of the new buildings; that they violate the harmony of the area; that he objects to the magnitude of the proposed building with its ridge height; that a subgrade basement should be proposed with pumps; that the guest house is as large as his house and they raised a family of five (5) in theirs; that this proposal violates the principal of the community; that the trees surrounding the property are deciduous, with very few evergreens; that a house this large will light up the area, especially in the winter; that he has evergreens at the Rt. 9W side and can see the lights at Hey Hoe Woods Road; and that the structure is unacceptable and should be modified to better fit into the area.

Gabor Brichter, 13 Closter Road, Palisades, New York, stated that his property abuts the cemetery; that the notice of hearing posters were not posted on Route 9W but in the woods; that he walked the property looking for signs and finally found one on Snedens Point; that the

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applicant seems unwilling to notify neighbors; that he will see this house and without leaves on the trees it will be a beacon.

Henry Ottley, 725 Oak Tree Road, Palisades, New York, stated that the size and character are not part of our neighborhood; that the berm on Route 9W is growing now, but it is joke regarding a buffer because it is filled with garbage; and that he doesn't believe this house could be buffered by plantings.

Sylvia March, 224 Route 9W, Palisades, New York stated that she has lived in her home for forty (40) years; that this is a community that cares for each other; that the community is intelligent, artistic, caring people with an historic neighborhood, and this belongs someplace else.

Carol Baxter, 34 Lawrence Lane, Palisades, New York, stated that she is a twenty (20) year resident and loves living in Palisades; she loves the history and she owns a house that built in 1820; that when they moved in they needed to enlarge the kitchen and added a master bedroom and bath and they came before this Board and were grilled to make sure that everything they did blended with the existing and she is happy that they did; that in the end everything they did harmonizes with the existing house; that this house is way too large and does not harmonize with the neighborhood, as the size is too much, and has turrets, balconies and columns.

Dale Prusinowski, 11 Closter Road, Palisades, New York stated that his property abuts the cemetery and he is concerned with seeing it and the lights in the winter; that the size is obnoxious and the style of the home; and he would like to know where the owners are.

The Board took a poll and had 5 nos.

Jay Greenwell, PLS, requested a continuance to mitigate the concerns of the Board, such as the windows, height and size of the building.

OCTOBER 13, 2015 MEETING:

At the October 13, 2015 meeting, Terry Rice, Attorney, Marc Comito, Contractor, Jay Greenwell, Land Surveyor, Robert Hoene, Architect and Sue Conklin, Soil Engineer, appeared for the applicant.

All Board members were present for the October 13, 2015 meeting; and Larry Bucciarelli recused himself because he is an abutting property owner.

The following items were submitted for review:

1. The Plot plan labeled "Plot Plan for Building Permit Chung" dated July 8, 2015 with the latest revision date of 9/29/2015 signed and sealed by Jay Greenwell, L.S. and Paul Gdanski, P.E. (1 page)
2. Architectural plans labeled "Chung Residence" dated 3/5/2013 with the latest revision date of 7/15/2015, by Robert Hoene, Architect. (7 pages)
3. Screening plan labeled "Chung Residence" by Yost Design Landscape Architecture dated September 30, 2015 not signed or sealed.
4. Google map of the site.
5. Exterior Building Materials Specifications list.
6. Overview with a spreadsheet (2 pages).
7. Plans labeled S.M. Conklin, P.E. (2 pages) elevation of the Chung property.
8. Square foot averages for historic area homes in the neighborhood of proposed Chung residence (1 page) submitted by Larry Bucciarelli.

Robert Hoene, Architect, stated that they have responded to the comments and concerns expressed at the last meeting; that they have reduced the size of the proposed house by seventeen

hundred (1700) square feet; and in doing so have added to the yards surrounding the house; and that they have lost one (1) bedroom; that they have removed between four and five (4' and 5') feet from the height of the house by using a semi mansard roof; that the roof line reduction is four feet eight inches (4' 8"); that the basement is under a portion of the main dwelling, the garage and the guest house; and that after listening to all of the comments from the Board and the public they would request a continuance to see possibilities for lowering the house and looking at an alternate plan while keeping the size that the applicant is needing.

Jay Greenwell, Land Surveyor stated that they have reduced the grading and increased the buffer; that all the trees have been located on the property; that the height of the building has been reduced and the yards have been tightened up; that the grading to the South and to the West have been directed to the rain garden which has been relocated; that the flow to the wet is natural; that the Army Corp of Engineers walked the site on October 7th and confirmed the boundaries of the wetlands; that machinery was brought in to do test samples of the soil; that the investigations show the level of rock and ground water and show why it is so important to have daylight to the footing drains; that the drywell gallery on the South side of the house will overflow to the rain garden to the Northwest to the wetlands; that the Google Earth image shows all of the deciduous trees; that the lot is very secluded and thirty-two (32) Norway Spruce are being added to the perimeter of the property; that the average height of the Spruce trees proposed will be twelve (12') feet and they are supposed to grow an average of two (2') feet per year;

Sue Conklin, P.E. introduced herself to the Board and stated that she has a masters in groundwater hydro geology; that she does modeling, substructure elements and lectures at Lamont Doherty; that the two (2) pages of plans in front of the Board show the plan view of the house and the proposed contours profile is through the center of the property showing the footing and basement drains in existing conditions; that she took soil borings down to the ledge on all corners and at sixty-five (65') feet West of the corner of the house which show that the ledge is close to the surface, and it is an undulating ledge at six to fifteen (6' to 15') feet which causes the perched water table to flow from the higher to the lower gradient on the property heading southwest to the northwest corner; that the water will move, (when flowing), one to two (1' to 2') feet below ground surface typically in February and April; that the Plan's cross section through the house shows the water moves below the ground surface one to two (1' to 2') feet; that the footing will be above the water; that the water naturally moves from Southeast to Southwest on the site; that the development with the installation of footing drains and a monitoring well will reduce the water level in the area; that the site is level and there is not enough gradient to move it; that is why the wetlands occur; that here will be a swale along the South side and the water will naturally flow into the wetlands; and that she would agree that a firm with five hundred (500) professionals would be a reliable firm.

Terry Rice, Attorney, stated that according to Town Code the new structures are to harmonize in general character with structures built in the immediate surrounding area; that assessing the compliance of the proposed dwelling with the somewhat vague criteria; it should be considered that the location is very secluded and surrounded by heavily wooded property; that the significant plantings will be employed around the premises to ensure privacy and to provide extensive screening; that floor area ratio of a building is a significant characteristic in assessing the bulk of a building; that the subject home is smaller than that of most of the homes on Kopac Lane; With reference to the charts submitted, he pointed out that lot #15 on Kopac Lane was approved on November 13, 2012 with a floor area ratio of twelve point eight (12.8%) percent, a lot area of forty thousand six hundred thirty-nine (40,639) square feet; a lot width of one hundred fifty-five (155') feet; a side yard of forty point five (40.5') feet; a front yard of fifty point five (50.5') feet; a total side yard of eighty-six (86') feet and a rear yard of one hundred twenty-five (125') feet; that the subject lot area is ninety-five thousand three hundred twenty (95,320) square feet with a proposed floor area ratio of ten point nine (10.9%) percent; that the lot width is two hundred forty-one (241') feet; that the front yard would seventy-four (74') feet, side yard sixty-three (63') feet, total side yard one hundred sixty-six (166') feet and the rear yard one hundred seventy-nine (179') feet; that the distances are fairly larger than the houses previously approved

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by the Board; that three (3) sides of the property do not face anyone and that there are no immediate neighbors; that this house is one thousand eight hundred (1,800) square feet larger than lot #12 on Kopac Lane; that they are planting an additional thirty-two (32) trees that will successfully mitigate some privacy issues; that lot 15 on Kopac Lane had a ridge height of thirty-one (31') feet and the proposed Chung property has a ridge height of thirty-three (33); that lot 14 on Kopac Lane has a floor area ratio of fourteen (14%) percent, while Chung has ten point nine (10.9%) percent; that Kopac Lane was previously a driving range with no or little trees and this is a well forested lot; that there are similar statistics on all of the lots on Kopac Lane; and the proposed house is in compliance with zoning, with exception to the street frontage; that the statutory language is vague and this home is harmonious with other homes in the area; that 81 Woods Road is seventy-one (71%) percent larger; that the building size itself is shown in the chart balances with other items and is harmonious with houses in the immediate area; that it is unfair to compare this situation to a co-op or condo situation, the size of the lot and distance to the neighbors need to be considered; and that the grade for the house needs to be raised because of the water level.

Marc Comito, Contractor, stated that the size of the house is driven by the clients' needs; that they have reduced the size by one thousand seven hundred (1,700) square feet; that the engineer has explained why the house needs to be raised to accommodate the basement; that he doubts if the owners of the house are going to have all of the lights on in every room of the house; that the house does not need a height or floor area variance; that they are proposing to plant approximately thirty-two (32) evergreen trees; that the sizes of the houses on Kopac Lane did not progressively get larger; that the largest of the houses was constructed toward the beginning of the development; and that the applicant would like windows on the southern side of the house to allow for sun light in the house.

Public Comment:

Larry Bucciarelli, 700 Oak Tree Road, Palisades, New York, stated that at the last hearing Alice Gerard elegantly quoted the historic areas law and based on the law this house is not harmonious with the neighborhood; that it needs to conform in size with houses in all of the neighborhood; that the houses locate to the east and south of the Chung house were not considered by the applicant; that the Bauman house is two thousand nine hundred fifty (2,950) square feet, the Ryan house is two thousand three hundred (2,300) square feet, the March house is two thousand five hundred (2,500) square feet, that the Quick house is two thousand six hundred (2,600) square feet, the Ricobono house is one thousand nine hundred (1,900) square feet, the Townsley house two thousand three hundred (2,300) square feet, the Prusinowski house is two thousand six hundred (2,600) square feet, that the Richter/Clucas house is two thousand two hundred fifty (2,250) square feet, the Thayer house is two thousand four hundred fifty (2,450) square feet, and that my house (Bucciarelli) is two thousand nine hundred fifty (2,950) square feet, that the Stewart house is two thousand five hundred (2,500) square feet, the Walther house is two thousand eight hundred (2,800) square feet and that two (2) unknown homeowners houses are one thousand five hundred (1,500) square feet each; that when the average for all of the homes including those on Kopac Lane is three thousand eight hundred ninety-one (3,891) square feet; that the average of the homes in the east and south portion of the neighborhood is two thousand three hundred fifty-seven (2,357) square feet; and the average in Snedens Pointe is five thousand eight hundred forty-four (5,844) square feet; and that the proposed Chung residence will be sixty-three (63%) percent larger than the combined average of all the homes in the surrounding neighborhood and forty-four (44%) percent larger than the combined average in Snedens Pointe; that he did not include Hey Hoe Woods Road; that this house is going to be visible for five (5) months of the year and it is sixty-three (63%) percent larger than the combined houses in the area. Mr. Bucciarelli asked Sue Conklin if she is familiar with the engineering firm Tectonic and she said no but agreed that it sounded like a large established firm if it has five (500) professionals employed there; that they worked on Miki Hyun's house at 42 Woods Road, Palisades, New York; that this property has a running brook underground and a swamp running through it; that Miki's husband wanted a basement for his gym and they hired Tectonic Engineering and they over-excavated the site in depth and width and that site sits on the edge of

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the cliff with no shale layer; that it was filled with two (2) feet of crushed stone and three-fourths ($\frac{3}{4}$) gravel with the membrane installed and perforated pipes that pump the water to the rain garden and they have a dry functioning basement without raising the grade of the property; that this house still remains forty-four (44%) percent larger than the average house in Snedens Pointe; and he would ask the Board to reject this proposal until further changes are made.

Eugene Kohn, 27 Hey Hoe Woods Road, Palisades, New York, stated that he is a neighbor directly west of the subject house, and parallel to Route 9W; that this house will be between his house and Route 9W and will stand thirty (30') feet tall; that the character and style of the house is not in keeping with the character of the neighborhood; that Palisades has a country feel to it; that when he was building his house he was not allowed a basement; that the rural feeling of the area will be ruined if a house this size is built; that Kopac Lane is bad enough with its "McMansions"; that he loves Jay Greenwell but this ten thousand (10,000) square foot house does not belong in Palisades; that they should go one (1) hour north to build it; and it would be unbearable.

Phillip Bauman, 236 Route 9W, Palisades, New York, stated that planting Norway Spruce in an area with dense deciduous trees will not produce growth of two (2) feet per year; that he has planted Norway Spruce and none have grown two (2) feet per year; that dense shade may cause the trees die; that this proposal is inadequate as a barrier; that he will be dead before there will be an acceptable barrier for this inappropriate bulk.

Cellen Wolk, 10 Hey Hoe Woods Road, Palisades, New York, stated that she lives in a two thousand four hundred (2,400) square foot house which is located on a one and a half ($1 \frac{1}{2}$) acre lot; that she is afraid that if a house this size is built, all the old houses will become teardowns and big houses will be built; that the empty land between houses is part of what makes Palisades unique; and she does not want to lose that.

Milbry Polk, 236 Route 9W, Palisades, New York, stated that she hopes the new neighbors read the historic books that have been published about Palisades; that they could better understand the community that they are becoming a part of; that this is a very special community and the people here want it preserved and this design does not fit; and this house will destroy the neighborhood.

Rex Lalire, 16 Hey Hoe Woods Road, Palisades, New York, stated that he is an architect; that this house needs to fit the site and this house does not suit the site; that it is not located on Kopac Lane in a development of similar homes on an open field; that this site is different; that the house should be designed to be a house in the woods not a house on a hill; that the design should not fight the environment; that raising it for a basement doesn't compliment the woods; that raising the house ten (10) feet out of the ground is not fair to all of the existing houses and residents in the area.

The Board's Comments:

Margaret Raso stated that she counted one hundred seventy-two (172) windows on the house and twenty-six (26) doors; that the amount of light that would radiate from this house would bother the neighbors; that this house is not linked to the houses on Kopac Lane because this is not part of a development.

Thano Schoppel stated that raising the property for this house ten (10') feet above existing grade is unacceptable and it would sit ten (10') feet above the ground level of the abutting Bucciarelli house; that the size of the house needs to be reduced; that it is not harmonious with the neighborhood; that the house will be fourteen point six (14.6%) percent bigger than others in the area; that nobody is arguing that the floor area ratio is correct; that they are looking at the house in context of the entire neighborhood and the lot that it is being built upon.

William Walters stated that he will be basing his decision on the standards set forth in the Town Code; the ground floor of this house is the size of some of the houses that were built on Kopac Lane; that the each presentation moved up in size; that this house is not in scale with the entire neighborhood; that the professionals working on the project could come up with a plan that satisfies their client and the Board; that they should take their collective talents and answer the needs of the client for square footage and give the Board something harmonious and in scale for the historic district; that the house could have different levels one (1) story, one and a half (1 ½) story, and design it to break down the bulk that it could be designed to fit into to the woods; that the applicant could consider different engineering to accommodate a basement, if that is a requirement of the client; and that a reduction in height and bulk needs to be significant. He stated that scale is an issue here as the proposed house is located in a Historic area and there is a relationship of the house to the prevalent character of the neighborhood and the district.

Scott Wheatley asked how much fill would be brought in to accommodate the basement; and stated that the area is heavily wooded and the proposed house has many windows and doors on the south side facing the neighbors to the south; that the applicant should consider eliminating the basement and windows on the south side of the house.

CONTINUANCE REQUESTED:

Robert Hoene, Architect, requested a continuance to review the possibility of lowering the height of the house; and possibility of reducing the square footage of the house; and that the style of the house is important to the client; that he will determine if he can lower the height, but given the constraints of the site with the water table being two (2') feet below the surface that he must deal with the physical limitations of the site.

November 10, 2015

At the November 10, 2015 meeting, Terry Rice, Attorney, Marc Comito, Contractor, Jay Greenwell, Land Surveyor, and Robert Hoene, Architect, appeared for the applicant.

Board member Joseph Chabot was absent for the November 10, 2015 meeting; and Larry Bucciarelli recused himself because he is an abutting property owner.

Items submitted for review:

1. Chung Residence "Dimensional Comps-Proposed Plan compared to original submission.
2. Google map imagery data 2015 of the proposed site.
3. Chung Residence Dimensional comps (2pages).
4. Plot Plan for Building Permit Chung dated July 8, 2015 with the latest revision date of 10/20/ 2015 signed and sealed by Jay Greenwell, P.L.S.
5. Architectural plans dated 3/5/2013 with the latest revision date of 10 /27/ 2015 by Robert Hoene, Architect (7 pages).

Jay Greenwell, Land Surveyor, stated that since the last revision, they have totally eliminated the mounded central portion of the site; that eliminating the basement in favor of a crawl space has permitted the house to be lowered by one hundred (100') feet to a height of one hundred ninety-two and one half (192.5') feet; that this is a significant drop down of seven and on half (7.5) feet, virtually eliminating most of the fill that was needed; that the contour that runs around the house is one hundred ninety (190') feet, which is a little above the existing grade; that they have eliminated the dry well gallery that was going to be placed in the fill; that due to the ground water table being fairly high they have designed a much larger rain garden, in effect a planted detention basin, that will accept the driveway runoff and the roof runoff and store it, letting it slowly dissipate slowly into the existing wetlands to the west and south; that to address concerns about runoff to the south of the lands of Bucciarielli and the Palisades cemetery, they have added a swale along the south edge of the disturbed area and a landscaped berm two to three (2' to 3') feet high to make sure that there is no flow of water to the South, and directing surface runoff

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into the rain garden as well, off to the West of the house; that they are respecting a fifty (50') foot area of no disturbance all along the West property line; and along the Easterly line, the area of no disturbance runs from about ten (10') feet to almost thirty-five (35') feet at the South end; that he would like to reiterate that the floor area ratio is only zero point one hundred seven (0.107); that the site is substantial at two point eighteen (2.18) acres and the house is set back well farther than the minimum setback requirements and the site will be marginally visible from adjoining neighborhood; that they have been hearing that it is not harmonious with the neighborhood, but the property is not really situated in a neighborhood, such as Oak Tree, or fronting along Route 9W, or along the roads in Sneden's Landing, or even in Kopac Lane; the concept of comparing houses to each other and evaluating "harmony" has much more weight when the architectural features are readily visible to passersby, especially pedestrians or slow vehicles; that we contend that the obscure location of this site renders the comparison to other nearby dwellings much less important, since the setback from 9W and other houses around it is so great, and the plantings that will be saved and new plantings established will diffuse awareness of the new residence; that there will be points of light or portions of the house visible through the trees in wintertime but the building is not going to be standing starkly visible from everywhere around in contrast to other dwellings, like some sore thumb; and that he would like to clarify for the member of the public that is insulted by his statement that it is not part of the neighborhood; that he stated that it is not on a street close to a road in prominent view and it is only in prominent view to the other Chung properties, the school district and the cemetery; that it is not visible to passersby, that he was not intending to besmirch the community; that everyone enjoys the sense of community in Palisades but this structure is not prominent visually from Oak Tree Road and it is not like going past the Library or onto Woods Road.

Robert Hoene, Architect, stated that they met with the property owner since the last meeting and the basement has been removed from the plan, which lowers the house by seven and one half (7 ½') feet; that he has given up the basement for a crawl space and some attic storage; that he does have an alternate plan that moves the guest house portion of the house further away with a walkway connection to the main house; that this makes the guest portion of the house feel more like an accessory structure and reduces the scale of the house; that the five (5') foot walkway is enclosed in glass; and two (2') additional feet were taken from the elevation and the floor plans; that the height on the main floor of the house is at nine (9') feet and the second floor walls are at seven (7') feet; and the guest wing is a one hundred ninety-two and one half (192.5) feet and the overall mass of the house is spread out with the guest portion of the house clearly subservient to the main house; and that the scale and light is controlling the mass of the structure and it has been moved back with space between the curb and the guest wing.

Marc Comito, Contractor, went over the list of materials for the roof and siding and stated that they have not changed anything on the material list; that Mrs. Chung saw the house on Kopac Lane that she liked, and this house is designed to be very similar; that they have listened to the Board and they have lowered the house and removed the basement and over two thousand (2,000) square feet has been removed from the initial proposal; that there are other large homes in the area; that the house at 81 Woods Road is seventeen thousand six hundred ninety-eight (17,698) square feet and the house at 11 Lawrence Lane is eleven thousand three hundred sixty-one (11,361) square feet; that he would like to ask for five (5) minute recess after the public comments; and they look forward to a vote from the Board.

The Board's Comments:

William Walthers stated that the changes to bulk are positive, such as the removal of the basement and replacement with the crawl space. But more work is needed on the plans.

Thano Schoepfel asked if this is right building for this part of the Palisades Historic District. The size is too great for the historic area.

Public Comment:

Susan Nemesby, 19 Lawrence Lane, Palisades, New York, stated that this house is a monster; that it is ten thousand (10,000) square feet for the main house and two thousand (2,000) square feet for the guest house; that there are no houses in the area to compare it to; that the houses on Kopac Lane were a mistake; that the residents in Palisades made a mistake and if Kopac Lane becomes the precedent, we can kiss Palisades goodbye; that she found houses in Alpine and Tuxedo that are similar to this house and she held up pictures and stated that these houses do not belong in Palisades; that she is insulted and furious to hear the applicant say that this house is not part of a neighborhood; that all of Palisades is a neighborhood; that this community cares about their neighbors and they are all friends.

Paul Riccobono, 15 HeyHoe Woods Road, Palisades, New York, stated that he owns two and one quarter (2 ¼) acres of property and his ranch house is two thousand (2,000) square feet, and questioned if he should knock his house down and build a mansion; that he next door neighbor had two (2) acres and his other neighbor has one point nine (1.9) acres; and they purchased here because they like the country feel; and he questioned the depth of the water garden and stated that the turret on the house is one hundred eighty (180') feet from the cemetery and when there is a heavy rain that water runs from the cemetery to Hey Hoe Woods Road to Oak Tree Road.

Phillip Bauman, 236 Route 9W, Palisades, New York, stated that he and his wife Milbry Polk are concerned about the size of this house; that there have been volumes of concerns raised by the neighborhood regarding the proposed house and not one person has spoken in support; that it has not substantially changed; that he is still concerned with gas lines and the pipe crossing and he asked the board to protect them.

Gabor Brichter, 13 Closter Road, Palisades, New York, stated that she moved to Palisades thirteen (13) years ago, that she had to appear before the Board for her renovation and she appeared with a story board and plans and showed the Board that her proposal fit into the neighborhood and she is glad that the Board is there to protect the character of the neighborhood.

Alice Buchanan, 50 Woods Road, Palisades, New York, stated that Palisades is a very special place; that this house will set a precedent that will change the neighborhood due to its size; that the preservation of the community is important; this could happen on any two (2) acres; and that this house is not part of the community; that it is disconnected from the neighborhood and they should not have it.

Barbara Meyer, 7 Chapman Road, Palisades, New York, testified that people moving into a community should check the mores and acceptability of a neighborhood and realize that this big a house does not fit into the neighborhood; that she built a four thousand (4,000) square foot house in 1987 and asked permission before spending money and this is ass backwards.

Blythe Andersen Chase, 286 Route 9W, Palisades, New York, echoed the concern of her neighbors about setting a precedent for Palisades; that she lives north of Kopac Lane and she fears that someone will one day purchase her one thousand two hundred twenty (1220) square foot house, and rip it down and build a mansion on her four (4) acres; and that this is a bad precedent.

Elizabeth Quinn, 40 Highland Avenue, Palisades, New York, stated that she moved from Englewood to Palisades in 2005 and stated that this is an incredible place to live; that she is concerned for the future and questioned what this house is going to be used for; that it has too many living rooms and wonders what kind of entertaining is going to be going on there.

Paul Goldman, 50 Woods Road, Palisades, New York, stated that this whole area is a neighborhood and every house is part of the community; that the houses on Palisades are built with space between them; that Kopac Lane was a mistake and he is scared that eight thousand (8,000) square feet is acceptable than twelve thousand (12,000) square feet is acceptable and where does it stop.

Alice Buchanan, 50 Woods Road, Palisades, New York, stated that several members of the Palisades Community Center are here and they work hard to preserve the center and the Library and she questioned where all the cars will park in that size house with all those dining rooms.

Carol Baxter, 34 Lawrence Lane, Palisades, New York, stated that the size of the house would be welcome in Alpine New Jersey; that it is oversized for Palisades; that a ten thousand (10,000) square foot house would be large even in Alpine, they average from six thousand to eight thousand (6,000 to 8,000) square feet; that this does not harmonize with the neighborhood and doesn't look like anything in the immediate area; that she takes offense to the gentlemen saying this house is not part of a neighborhood, all of Palisades is a neighborhood; that there is no line between neighbors, that they are all one big family; that they would welcome an architect that specialized in historic design; that she had to defend why she wanted to add a bedroom to her house and it had to fit into the design of the house; and that this is an awful precedent.

Terry Rice, Attorney, stated that they have revised the dimensional comps; that the house has been reduced by one thousand seven hundred sixty-five (1,765) square feet; that the height of the house has been reduced by seven and one-half (7 ½') feet; that the original proposal did not require floor area ratio or height variances; that they have worked hard to accommodate the concerns of the Board and the neighbors; that the speakers expressed some concerns that they would like to address; the proposal before the Board is for a single-family residence and that is what the applicant is proposing and that is what the use of the house would be; that the design of the house was not altered substantially because the applicant wanted a similar design to the house on Kopac Lane that was approved by this Board; that the gas pipe line has already been addressed and all of the construction protocols that must be met, to build by the pipe line, will be addressed; that Jay Greenwell made the point about neighborhood because of the size of the lot, the distance and the screening existing and proposed for the new house; that they have made a good faith effort to satisfy the neighbors and the Board.

Jay Greenwell, PLS, stated that the house is set back and not on a main road and will not be prominent in view. It will not be visible and that there are other lots behind Hey Hoe Woods Road, for example, the School District property between this property and them.

Marc Comito, Contractor, requested a five (5) minute recess.

After a Brief Recess, the Meeting resumed:

Motion to approve Application as Presented; Motion FAILED.

Scott Wheatley made a motion to approve the application as presented for the November 10, 2015 Historic board meeting stating that the house has been reduced in size and height; then made the request that the applicant mark all the trees over six (6") inch in diameter that he would be keeping on the plan; which motion was not seconded.

FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing same, found as fact, that the application as presented, would adversely affect the Historic District and the surrounding area.

TOWN OF ORANGETOWN
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DECISION:

In view of the foregoing and the testimony before the Board, the application presented is **DENIED**.

The foregoing resolution to DENY the application was presented and moved by Thano Schoppel, seconded by Margaret Raso, and carried as follows: William Walther, aye; Scott Wheatley, nay; Thano Schoppel, aye; Wayne Garrison, aye; Margaret Raso, aye.

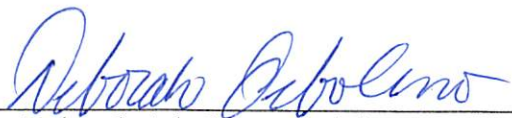
Joseph Chabot was absent.

Larry Bucciarelli recused himself because he is an abutting property owner.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

Dated: November 10, 2015

HISTORIC AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY: 
Deborah Arbolino, Administrative Aide

DISTRIBUTION:

APPLICANT
TOWN BOARD MEMBERS
HABR MEMBERS
SUPERVISOR
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR- R.A.O.

TOWN CLERK
HIGHWAY DEPARTMENT
TOWN HISTORIAN
DEPT. OF ENVIRONMENTAL
ENGINEERING
HABR, PB, FILE
PB, ZBA, ACABOR CHAIRMAN

DECISION

APPROVED AS PRESENTED

TO: William Feeney
14 Brandt Avenue
Tappan, New York 10983

HABR # 15-19
November 10, 2015

FROM: HISTORIC AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR# 15-19: Application of William Feeney to install twelve (12) Double Hung replacement windows at an existing single family residence located at 14 Brandt Avenue, in the Town of Orangetown, Hamlet of Tappan, New York. Chapter 12, Section 12-4 (A), Historic Areas Board of Review.

Tax Numbers: 77.10 / 3 / 25; R-15 zoning district.

Heard by the HISTORIC AREAS BOARD OF REVIEW at a meeting held on Tuesday, November 10, 2015 at which time the Board made the following determination:

William Feeney appeared.

The following documents were presented:

1. Hand drawing of the building showing which windows are being replaced.
2. Two pictures of the house showing the windows to be replaced.

William Feeney stated that he would like to replace twelve (12) windows with double hung windows with dividers 6x6; that they will fit within one (1") inch of the size of the existing windows; that they will be white with white trim.

PUBLIC COMMENT:

No public comment.

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FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing same, found as fact, that: The application as presented, would not adversely affect the Historic District and the surrounding area. The design and materials for the proposed windows:

1. The windows shall be "Renewal" by Andersen white wood composite renewal windows 6x6.

THIS APPROVAL/DECISION, AND ANY MODIFICATIONS OR CONDITIONS SET FORTH HEREIN, IS GRANTED BY THE HISTORICAL AREA BOARD OF REVIEW AND IS LIMITED TO THE SPECIFIC RELIEF REQUESTED AND SUBJECT TO THE CONDITIONS OR MODIFICATIONS, IF ANY, SET FORTH HEREIN.

***** PRE-1918 CONSTRUCTION: PLEASE BE ADVISED: IN THE HISTORIC AREA, ALL CONSTRUCTION REQUIRING A BUILDING PERMIT OR ANY EXTERIOR CHANGES (INCLUDING PAINT COLOR) TO BUILDINGS CONSTRUCTED PRIOR TO 1918, REQUIRES APPROVAL FROM THE HISTORIC AREAS BOARD OF REVIEW.***

PRIOR APPROVAL OF THE HISTORICAL AREA BOARD OF REVIEW IS REQUIRED PRIOR TO ANY CHANGE OR MODIFICATION OF THE REQUIREMENTS AND/OR CONDITIONS SET FORTH IN THIS DECISION, INCLUDING, BUT NOT LIMITED TO:

- ROOFING SHINGLES (IF CHANGING COLOR)
- SIDING
- DECORATIVE SIDING
- SOFFITS & FASCIA
- GUTTERS AND LEADERS
- WINDOWS
- TRIM
- SHUTTERS
- DOORS
- LIGHTING
- LOCATION OF AIR CONDITIONING UNITS
- WALKWAYS, PATIOS
- POOLS, SPAS AND FENCES
- SIGNS
- ANY CHANGE IN THE ABOVE LIST INCLUDING COLOR, MATERIAL AND/OR MANUFACTURER

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DEBBIE ARBOLINO, CLERK TO THE HISTORIC AREA BOARD OF REVIEW AT (845) 359-8410.

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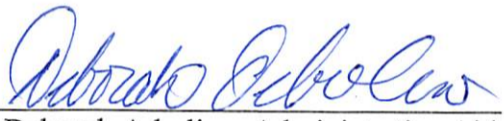
DECISION: In view of the foregoing and the testimony before the Board, the application: the windows shall be Renewal by Andersen white wood composite windows (6 on 6) is APPROVED.

The foregoing resolution to approve the replacement windows was presented and moved by Thano Schoppel, seconded by Margaret Raso; and carried as follows: William Walther, aye; Scott Wheatley, aye Thano Schoppel, aye; Wayne Garrison, aye; Margaret Raso, aye; and Larry Bucciarelli, aye. Joseph Chabot was absent.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

Dated: November 10, 2015

HISTORIC AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY: 
Deborah Arbolino, Administrative Aide

DISTRIBUTION:

APPLICANT
TOWN BOARD MEMBERS
HABR MEMBERS
SUPERVISOR
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR- G.M.

TOWN CLERK
HIGHWAY DEPARTMENT
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HABR, PB, FILE
PB, ZBA, ACABOR CHAIRMAN

TOWN CLERKS OFFICE
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DECISION

APPROVED AS PRESENTED

TO: Christopher Andrianos and Karla Maloof
46 Closter Road
Palisades, New York 10964

HABR # 15-20
November 10, 2015

FROM: HISTORIC AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR# 15-20: Application of Christopher Andrianos and Karla Maloof for a renovation/addition to an existing single family residence located at 46 Closter Road, in the Town of Orangetown, Hamlet of Palisades, New York. Chapter 12, Section 12-4 (A), Historic Areas Board of Review.

Tax Numbers: 80.05 / 1 / 20; R-40 zoning district.

Heard by the HISTORIC AREAS BOARD OF REVIEW at a meeting held on Tuesday, November 10, 2015 at which time the Board made the following determination:

Christopher Andrianos, Karla Maloof and Kier Levesque, Architect, appeared.

The following documents were presented:

1. Site plan based on survey done dated May 15, 2013 by W.E. James Associates and Architectural plans dated August 24, 2015 signed and sealed by Kier B. Levesque, Architect. (5 pages)

Kier Levesque, Architect, stated that they are currently renovating the existing house; that they have taken the existing garage and made it part of the living space of the house and have added a porch and carport; that they have change the roof lines of the house; that they are changing the windows and doors adding stone to the foundations and building a separate two-car garage in the rear of the property.

Christopher Andrianos showed the Board the metal edging that will hold the decomposed granite in the driveway; and proceeded to go through the materials that would be used for the exterior of the house and garage; stating that the roof shingles would be GAF three tab asphalt shingles in charcoal; that the siding would be concrete board in artic white Hardie plank; that the decorative siding would be cedar shake shingles in Nantucket eastern white cedar by Malbec painted white #212; that the windows and French doors would be by Andersen; that the porch and carport would have down lighting in the ceiling; that the steps would be wood and the lattice and railings would be wood painted white.

PUBLIC COMMENT:

No public comment.

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FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing same, found as fact, that: The application as presented, would not adversely affect the Historic District and the surrounding area. The design and materials for the proposed renovation/ addition and detached garage as shown on: Site plan based on survey done dated May 15, 2013 by W.E. James Associates and Architectural plans dated August 24, 2015 signed and sealed by Kier B. Levesque, Architect. (5 pages) with the following specifications:

1. The roof shall be GAF three tab asphalt shingles in Charcoal.
2. The siding shall be Artic White concrete board by Hardi-plank 8" exposure.
3. The decorative siding shall be cedar shake shingles white Nantucket eastern white cedar 6" exposure by Malbec Co.
4. The soffits and fascia shall be white wood painted and mixed to match the hardi-plank.
5. The gutters and leaders shall be white aluminum.
6. The windows shall be white wood core fibrex exterior Andersen windows 400 series.
7. The trim shall be Artic White concrete board by Hardie-plank.
8. The front door shall be wood Simpson Model #7662 painted "Yankee Barn" (brown) by Sherwin Williams.
9. The side door shall be wood Simpson Model #7224 painted "Yankee Barn" (brown) by Sherwin Williams.
10. The garage doors shall be Holmes Lodgewood collection wood painted "Yankee Barn" (brown) by Sherwin Williams.
11. The French doors shall be white wood core fibrex exterior Anderson 400 Series.
12. The entry door on the garage shall be wood Simpson Model #7664 painted "Yankee Barn" (brown) by Sherwin Williams.
13. The stone on the house shall be Corinthian granite mosaic natural cultured stone by Champlain Stone LTD.
14. The walkway shall be 2' x 2' bluestone or equivalent paver.
15. The driveway apron shall be Belgian Balast Block in gray/white color.
16. The driveway shall have black metal edging and be gray decomposed granite with stone dust.

THIS APPROVAL/DECISION, AND ANY MODIFICATIONS OR CONDITIONS SET FORTH HEREIN, IS GRANTED BY THE HISTORICAL AREA BOARD OF REVIEW AND IS LIMITED TO THE SPECIFIC RELIEF REQUESTED AND SUBJECT TO THE CONDITIONS OR MODIFICATIONS, IF ANY, SET FORTH HEREIN.

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PRIOR APPROVAL OF THE HISTORICAL AREA BOARD OF REVIEW IS REQUIRED PRIOR TO ANY CHANGE OR MODIFICATION OF THE REQUIREMENTS AND/OR CONDITIONS SET FORTH IN THIS DECISION, INCLUDING, BUT NOT LIMITED TO:

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- GUTTERS AND LEADERS
- WINDOWS
- TRIM
- SHUTTERS
- DOORS
- LIGHTING
- LOCATION OF AIR CONDITIONING UNITS
- WALKWAYS, PATIOS
- POOLS, SPAS AND FENCES
- SIGNS
- ANY CHANGE IN THE ABOVE LIST INCLUDING COLOR, MATERIAL AND/OR MANUFACTURER

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DEBBIE ARBOLINO, CLERK TO THE HISTORIC AREA BOARD OF REVIEW AT (845) 359-8410.

DECISION: In view of the foregoing and the testimony before the Board, the application; for the renovation/alteration and new detached garage as shown : Site plan based on survey done dated May 15, 2013 by W.E. James Associates and Architectural plans dated August 24, 2015 signed and sealed by Kier B. Levesque, Architect. (5 pages) ; is APPROVED.

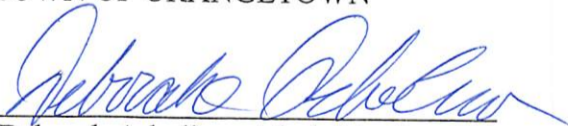
The foregoing resolution to approve the renovation/alteration and new detached garage was presented and moved by William Walther, seconded by Thano Schoppel; and carried as follows: William Walther, aye; Scott Wheatley, aye Thano Schoppel, aye; Wayne Garrison, aye; Margaret Raso, aye; and Larry Bucciarelli, aye. Joseph Chabot was absent.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

Dated: November 10, 2015

HISTORIC AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY:


Deborah Arbolino, Administrative Aide

DISTRIBUTION:

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TOWN OF ORANGETOWN