

MINUTES  
ZONING BOARD OF APPEALS  
November 18, 2015

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 03  
TOWN CLERKS OFFICE

MEMBERS PRESENT:     DAN SULLIVAN  
                                 PATRICIA CASTELLI  
                                 JOAN SALOMON  
                                 THOMAS QUINN  
                                 LEONARD FEROLDI, ALTERNATE

ABSENT:                     MICHAEL BOSCO

ALSO PRESENT:           Dennis Michaels, Esq.           Deputy Town Attorney  
                                 Ann Marie Ambrose,           Official Stenographer  
                                 Deborah Arbolino,           Administrative Aide

This meeting was called to order at 7: 00 P.M. by Mr. Sullivan, Chairman.  
Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

PUBLISHED ITEMS

APPLICANTS

DECISIONS

NEW ITEMS:

NIEMIRA 144 Railroad Avenue Pearl River, NY 68.16 / 1 / 37; RG zone	§ 3.11, COLUMN 1 #7 LOCAL LAW #7 APPROVED	ZBA#15-103
PATEL 2 Sgt. Bollinger Court Blauvelt, NY 77.07 / 2 / 3.2; R-15 zone	FLOOR AREA RATIO, REAR YARD VARIANCE APPROVED §5.221 UNDERSIZED LOT APPLIES	ZBA#15-104
DELO 103 Wilson Street Blauvelt, NY 69.15 / 2 / 12; R-15 zone	SIDE YARD VARIANCE APPROVED	ZBA#15-105
ART STUDENTS LEAGUE SIGN 241 Kings Highway Sparkill, NY 74.16 / 1 / 9; R-40 zone	SIGN SETBACK VARIANCE APPROVED WITH SPECIFIC CONDITION	ZBA#15-106
ART STUDENT LEAGUE PERFORMANCE STANDARDS 241 Kings Highway Sparkill, NY 74.16 / 1 / 9; R-40 zone	PERFORMANCE STANDARDS APPROVED	ZBA#15-107
CHUNG APPEAL HABR #15-15 246 Route 9W Palisades, NY 78.17 / 2/ 18; R-40 zone	APPLICANT INSTRUCTED TO RETURN TO HISTORIC AREAS BOARD OF REVIEW FOR FURTHER REVIEW	ZBA#15-108

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

The verbatim minutes, as recorded by the Board's official stenographer for the above hearings, are not transcribed.

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

Dated: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By 

Deborah Arbolino, Administrative Aide

DISTRIBUTION:  
APPLICANT  
TOWN ATTORNEY  
DEPUTY TOWN ATTORNEY  
TOWN BOARD MEMBERS  
BUILDING INSPECTOR (Individual Decisions)  
Rockland County Planning

§DECISION

**SECTION 3.11, COLUMN 1 #7 VARIANCE APPROVED**

To: Bart Rodi (Niemira)  
234 So. Grant Avenue  
Congers, New York 10920

ZBA #15-103  
Date: December 2, 2015

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 03  
TOWN CLERK'S OFFICE

ZBA#15-103: Application of Eva Niemira for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, RG District, Section 4.5 Local Law #7, of 1981 : Single family conversion refers to R-80 District, Section 3.11, Column 1 #7 (600 sq. ft. permitted, 729 sq. ft. proposed) for a Local Law # 7 of 1981 (single-family conversion) application at an existing single-family residence. The premises are located at 144 Railroad Avenue, Pearl River, New York and are identified on the Orangetown Tax Map as Section 68.16, Block 1, Lot 37; in the RG zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 2, 2015 at which time the Board made the determination hereinafter set forth.

Bart Rodi, Engineer and Eva Niemira appeared and testified.

The following documents were presented:

1. Survey dated 06/27/2015 signed and sealed by Mark Mahoney, L.S..
2. As-built plans for "Niemira residence" dated September 18, 2015 with the latest revision date of September 30, 2015 signed and sealed by Bart Rodi, P.E. (1 page).
3. A letter dated November 19, 2015 from the County of Rockland Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
4. A letter dated December 2, 2015 from the County of Rockland Department of Highways signed by Sonny Lin, P.E..
5. A letter dated October 27, 2015 from the County of Rockland Department of Health signed by Scott Mc Kane, P.E..
6. A letter dated November 19, 2015 from the County of Rockland Sewer District No.1 signed by Joseph La Fiandra, Engineer II.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9), (10), (12) and/or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Ms. Salomon, aye; Mr. Bosco, aye; and Mr. Quinn, aye; and Mr. Sullivan, aye.

Bart Rodi testified that the applicant purchased the property 40 years ago with the existing apartment as-is; that she has a pending sale for the house and found out that the existing apartment is a violation; that they found out that it was slightly oversized and that is why they are appearing before the Board; that she would like to legalize the apartment because the party interested in purchasing the house is interested in keeping the apartment; and that Ms. Niemira will file the covenant.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

**FINDINGS OF FACT AND CONCLUSIONS:**

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

1. The requested §3.11, Column 1, #7 variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The existing apartment is 134 sq. ft. larger than the permitted 600 sq. ft. and has existed in its present condition for many years without incident.
2. The requested §3.11, Column 1, #7 variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The existing apartment is 134 sq. ft. larger than the permitted 600 sq. ft. and has existed in its present condition for many years without incident.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining the variance. The existing apartment is 134 sq. ft. larger than the permitted 600 sq. ft. and has existed in its present condition for many years without incident.
4. The requested §3.11, Column 1, #7 variance is not substantial.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.

Niemira  
ZBA#15-103  
Page 3 of 4

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested §3.11, Column 1, #7 variance is APPROVED; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

(i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

Niemira  
ZBA#15-103  
Page 4 of 4

The foregoing resolution to approve the application for the requested §3.11, Column 1, #7 variance was presented and moved by Mr. Feroldi, seconded by Ms. Castelli and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye ;Ms. Castelli, aye; Ms. Salomon, aye; and Mr. Sullivan, aye. Mr. Bosco 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: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

TOWN CLERK  
HIGHWAY DEPARTMENT  
ASSESSOR  
DEPT. of ENVIRONMENTAL  
MGMT. and ENGINEERING  
FILE,ZBA, PB  
CHAIRMAN, ZBA, PB, ACABOR

DECISION

**FLOOR AREA RATIO AND REAR YARD VARIANCES APPROVED; § 222-221  
UNDERSIZED LOT APPLIES**

To: Jane Slavin (Patel)  
200 Erie Street  
Blauvelt, New York 10913

ZBA #15-104  
Date: December 2, 2015

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#15-104: Application of Maheshkumar and Bhavna Patel for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, Section 3.12, R-15 District, Group M, Columns 4 (Floor Area Ratio: .20 permitted, .24 existing, .25 proposed), and 11 (Rear Yard: 35' required, 30.4' existing, 24.7' proposed) (Section 5.221 undersized lot applies) for an addition to an existing single-family residence. The premises are located at 2 Sgt. Bollinger Court, Blauvelt, New York and are identified on the Orangetown Tax Map as Section 77.07, Block 2, Lot 3.2; in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 2, 2015 at which time the Board made the determination hereinafter set forth.

Maheshkumar and Bhavna Patel and Jane Slavin, Architect, appeared and testified.

The following documents were presented:

1. Plot plan dated September 14, 2015 based on survey prepared by Joseph Haller, P.L.S., July 26, 2000 (1 page).
2. Architectural plans labeled "Addition/Alteration Patel Residence dated June 29, 2015 with the latest revision date of July 31, 2015 signed and sealed by Jane Slavin, Registered Architect (1 page).
3. A letter dated November 19, 2015 from the County of Rockland Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
4. A letter dated December 2, 2015 from the County of Rockland Department of Highways signed by Sonny Lin, P.E..
5. A letter dated November 19, 2015 from the County of Rockland Sewer District No.1 signed by Joseph La Fiandra, Engineer II.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9), (10), (12) and/or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Ms. Salomon, aye; Mr. Feroldi, aye; and Mr. Quinn, aye; and Mr. Sullivan, aye.

Jane Slavin testified that the lot is undersized; that there are five other lots in the area that are 10,000 sq. ft. with a 15,000 sq. ft. required; that these lots must have been granted average density; that if it were not undersized, no variances would be required for the proposal; that the rear yard setback is being measured from the landing at the stairs to the deck; and the proposed 12' x 15' addition is located over what was the existing deck.

Mr. Patel testified that he has lived in the house with his family of five for fifteen years.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

**FINDINGS OF FACT AND CONCLUSIONS:**

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

1. The requested floor area ratio and rear yard variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The lot is undersized by 5,000 sq. ft. and if it had been zoned RG it would not need any variances, five other lots in the area are also 10,000 sq. ft., not the required 15,000 sq. ft. required for the R-15 zoning district; which would not require any variances either.
2. The requested floor area ratio and rear yard variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The lot is undersized by 5,000 sq. ft. and if it had been zoned RG it would not need any variances, five other lots in the area are also 10,000 sq. ft., not the required 15,000 sq. ft. required for the R-15 zoning district; which would not require any variances either.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.
4. The requested floor area ratio and rear yard variances are not substantial. The lot is undersized by 5,000 sq. ft. and if it had been zoned RG it would not need any variances, five other lots in the area are also 10,000 sq. ft., not the required 15,000 sq. ft. required for the R-15 zoning district; which would not require any variances either.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.



TOWN OF ORANGETOWN  
2015 DEC 17 PM 1:04  
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested floor area ratio and rear yard variances are APPROVED; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

(i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

Patel  
ZBA#15-104  
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TOWN OF ORANGETOWN  
2015 DEC 17 PM 1:11  
TOWN CLERKS OFFICE

The foregoing resolution to approve the application for the requested floor area ratio and rear yard variances was presented and moved by Ms. Salomon, seconded by Ms. Castelli, and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye ;Ms. Castelli, aye; Ms. Salomon, aye; and Mr. Sullivan, aye. Mr. Bosco 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: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By



Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

TOWN CLERK  
HIGHWAY DEPARTMENT  
ASSESSOR  
DEPT. of ENVIRONMENTAL  
MGMT. and ENGINEERING  
FILE,ZBA, PB  
CHAIRMAN, ZBA, PB, ACABOR

DECISION

**SIDE YARD VARIANCE APPROVED**

To: Ronald Delo  
103 Wilson Street  
Blauvelt, New York 10913

ZBA #15-105  
Date: December 2, 2015

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#15-105: Application of Ronald and Barbara Delo for a variance from Zoning Code (Chapter 43) of the Town of Orangetown, Section 3.12 R-15 District, Group M, Column 9 (Side yard: 20' required, 15' proposed) for and addition to an existing one-family residence. The premises are located at 103 Wilson Street, Blauvelt, New York and are identified on the Orangetown Tax Map as Section 69.15, Block 2, Lot 12 in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 2, 2015 at which time the Board made the determination hereinafter set forth.

Ronald and Barbara Delo appeared and testified.

The following documents were presented:

1. Survey dated June 11, 1979 signed by Vittorio Scatassa, P.L.S.(1 page).
2. Architectural plans labeled "Delo Residence One-Story Addition" dated October 17, 2014 with the latest revision date of May 11, 2015 signed and sealed by Harold J. Goldstein, Registered Architect (2 pages).

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9), (10), (12) and/or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Ms. Salomon, aye; Mr. Feroldi, aye; Mr. Quinn, aye; and Mr. Sullivan, aye.

Barbara Delo testified that her Dad has moved in with the family; that they need to add onto the house for some privacy; that the hardship they have is the location of the house on the lot not being centered; that the lot is very sloped on one side and hilly in the front; and the lot is also a corner lot.

Ronald Delo testified that they have lived in the house for 36 years; that they have shown their plans to the neighbors and they have no objections; and the lot is a corner lot and he will mark the shed on the site plan.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

**FINDINGS OF FACT AND CONCLUSIONS:**

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

1. The requested side yard variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar additions have been constructed in the area and the applicants' property is a corner lot with the existing house built off center because of the terrain of the lot.
2. The requested side yard variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Similar additions have been constructed in the area and the applicants' property is a corner lot with the existing house built off center because of the terrain of the lot.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining a variance.
4. The requested side yard variance, although somewhat substantial, afford benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. Similar additions have been constructed in the area and the applicants' property is a corner lot with the existing house built off center because of the terrain of the lot.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1:04  
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested side yard variance is APPROVED; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

(i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

Delo  
ZBA#15-105  
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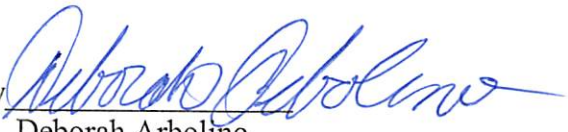
TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

The foregoing resolution to approve the application for the requested side yard variance was presented and moved by Mr. Quinn, seconded by Ms. Salomon and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye ;Ms. Castelli, aye; Ms. Salomon, aye; and Mr. Sullivan, aye. Mr. Bosco 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: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

TOWN CLERK  
HIGHWAY DEPARTMENT  
ASSESSOR  
DEPT. of ENVIRONMENTAL  
MGMT. and ENGINEERING  
FILE,ZBA, PB  
CHAIRMAN, ZBA, PB, ACABOR

DECISION

**SIGN SETBACK VARIANCE APPROVED**

To: Andrew Braun (Art Students League sign)  
241 Kings Highway  
P.O. Box 357  
Sparkill, New York 10976

ZBA #15-106  
Date: December 2, 2015

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERK'S OFFICE

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#15-106: Application of Art Students League for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, Section 3.11, R-40 District, Column 5 #1 refers to R-80 District, Column 5 # 12 (Signs: 25' setback required, 0' proposed) (proposed sign location is in the street right-of-way) for the Art Students League. The premises are located at 241 Kings Highway, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.16, Block 1, Lot 9; in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 2, 2015 at which time the Board made the determination hereinafter set forth.

Andrew Braun appeared and testified.

The following documents were presented:

1. Copy of overall plan dated 08/25/2015 (1 page).
2. One page picture of the proposed signs.
3. A letter dated November 23, 2015 from the County of Rockland Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
4. A letter dated December 1, 2015 from the County of Rockland Department of Highways signed by Sonny Lin, P.E..
5. A memorandum dated December 1, 2015 from Town of Orangetown Highway Department signed by James Dean, Superintendent of Highways, Roadmaster II.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (7); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Ms. Salomon, aye; Mr. Feroldi, aye; Mr. Quinn, aye; and Mr. Sullivan, aye.

Andre Braun testified that they are proposing to install signs that will be easier to see and set back further than the existing sign; that they will honor the request made by James Dean; and that they have to remove one tree to place the signs that will permit a better line of sight.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

**FINDINGS OF FACT AND CONCLUSIONS:**

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

1. The requested sign location variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The sign will be set back further than the existing sign, and the applicant has agreed to execute a Defense, Indemnification & Hold Harmless Agreement, in favor of the Town of Orangetown, and in form and substance satisfactory to the Town Attorney.
2. The requested sign location variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The sign will be set back further than the existing sign, and the applicant has agreed to execute a Defense, Indemnification & Hold Harmless Agreement, in favor of the Town of Orangetown, and in form and substance satisfactory to the Town Attorney.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining a variance.
4. The requested sign location variance, although somewhat substantial, afford benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. . The sign will be set back further than the existing sign, and the applicant has agreed to execute a Defense, Indemnification & Hold Harmless Agreement, in favor of the Town of Orangetown, and in form and substance satisfactory to the Town Attorney.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.



TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested sign location variance is APPROVED with the Specific Condition execute a Defense, Indemnification & Hold Harmless Agreement, in favor of the Town of Orangetown, and in form and substance satisfactory to the Town Attorney; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.
- (iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.
- (v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

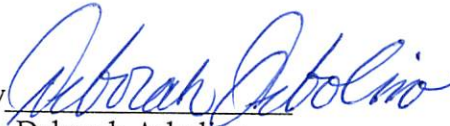
TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

The foregoing resolution to approve the application for the requested sign location variance with the Specific Condition that the applicant execute a Defense, Indemnification & Hold Harmless Agreement, in favor of the Town of Orangetown, and in form and substance satisfactory to the Town Attorney; was presented and moved by Ms. Castelli, seconded by Ms. Salomon and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye; Ms. Castelli, aye; Ms. Salomon, aye; and Mr. Sullivan, aye. Mr. Bosco 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: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

TOWN CLERK  
HIGHWAY DEPARTMENT  
ASSESSOR  
DEPT. of ENVIRONMENTAL  
MGMT. and ENGINEERING  
FILE, ZBA, PB  
CHAIRMAN, ZBA, PB, ACABOR

DECISION

**SECTION 4.12 PERFORMANCE STANDARDS REVIEW APPROVED**

To: Andrew Braun (Art Students League Performance Standards) ZBA #15-107  
241 Kings Highway  
P.O.Box 357  
Sparkill, New York 10976

Date: December 2, 2015

TOWN OF ORANGETOWN  
2015 DEC 17 PM 1 04  
TOWN CLERKS OFFICE

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#15-107: Application of Art Students League for a review as per Zoning Code (Chapter 43) of the Town of Orangetown Code, R-40 District, Section 4.12, Performance Standards Review, for two generators at the Art Students League. The premises are located at 241 Kings Highway, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.16, Block 1, Lot 9; in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 2, 2015 at which time the Board made the determination hereinafter set forth.

Andrew Braun appeared and testified.

The following documents were presented:

1. Copy of overall plan dated 08/25/2015 (1 page).
2. Kohler Power Systems Model 38RCL (4 pages).
3. Use Subject to Performance Standards Resume of Operations and Equipment dated October 26, 2015.
4. Fire Prevention Supplement.
5. A letter dated November 23, 2015 from the County of Rockland Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
6. A letter dated December 1, 2015 from the County of Rockland Department of Highways signed by Sonny Lin, P.E..
7. A memorandum dated December 2, 2015 from Town of Orangetown, Chief Fire Inspector, Michael B. Bettmann with one page attachment.
8. A letter dated December 2, 2015 from the Department of Environmental Management and Engineering, Town of Orangetown signed by Joseph J. Moran, Commissioner with a one page attachment from Bruce Peter, P.E., Engineer II

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination, based upon the testimony heard by this Board and the facts as presented in the application submissions and in the record, that since the application entails the ZBA engaging in a review to determine compliance with technical requirements the application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (28); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Salomon, aye; Ms. Castelli, aye; Mr. Sullivan, aye; Mr. Quinn, aye; and Mr. Feroldi, aye. Mr. Bosco was absent.

Andrew Braun testified that they are proposing two back-up generators for the artist residency for both buildings; that the propane would be stored above-ground; that the generator would be on a 4" concrete pad; that the propane would be on concrete blocks; that presently there is no back-up generators and these generators would be tested once a week.

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The Performance Standards Resume of Operations and Equipment, and the Fire Prevention Supplement completed by the applicant were thereupon reviewed in detail.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

**FINDINGS OF FACT AND CONCLUSIONS:**

After personal observation of the property, hearing all the testimony and reviewing all of the documents submitted, the Board found and concluded that:

Based upon the information contained in the applicant's Resume of Operations and Equipment and the Fire Prevention Supplement; the report dated December 2, 2015 from Joseph J. Moran, P.E., Commissioner of the Orangetown Department of Environmental Management and Engineering (D.E.M.E.); the report dated December 2, 2015 from Michael Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.); the other documents submitted to the Board and the testimony of Applicant's representatives, the Board finds and concludes that the application conforms with the Performance Standards set forth in Zoning Code Section 4.1, subject to compliance with the orders, rules and regulations of the Orangetown Office of Building, Zoning & Planning Administration & Enforcement, D.E.M.E., and Orangetown B.F.P., and all other departments having jurisdiction of the premises.

**DECISION:** In view of the foregoing and the testimony and documents submitted, the Board: **RESOLVED**, that the Application for Performance Standards Conformance, pursuant to Zoning Code § 4.1, is **APPROVED** with the following **SPECIFIC CONDITIONS:** (1) that the Applicant adhere to all of the requirements set forth in the report by Chief Fire Inspector Bettmann, Town of Orangetown B.F.P., dated December 2, 2015; and (2) that the Applicant adhere to all of the requirements set forth by the report dated December 2, 2015 from Joseph J. Moran, P.E., Commissioner, Department of Environmental Management and Engineering, Town of Orangetown; **AND FURTHER RESOLVED**, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

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General Conditions:

(i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

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The foregoing Resolution to approve, with the foregoing Specific Conditions, the application for the requested Performance Standards Review was presented and moved by Ms. Castelli, seconded by Ms. Salomon and carried as follows: Mr. Sullivan, aye; Mr. Feroldi, aye; Mr. Quinn, aye ;Ms. Castelli, aye; and Ms. Salomon, aye. Mr. Bosco 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: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

TOWN CLERK  
HIGHWAY DEPARTMENT  
ASSESSOR  
DEPT. of ENVIRONMENTAL  
MGMT. and ENGINEERING  
FILE,ZBA, PB  
CHAIRMAN, ZBA, PB, ACABOR

DECISION

**IN LIGHT OF APPLICANTS' FLEXIBILITY TO REDUCE THE SIZE OF STRUCTURE: THE ZBA VACATED/RE-OPENED THE HISTORIC AREAS BOARD OF REVIEW (HABR) DECISION 315-15 OF 11/10/2015 FOR FURTHER REVIEW OF THE HABR APPLICATION BY THE HISTORIC AREAS BOARD OF REVIEW**

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

ZBA #15-108  
Date: December 2, 2015

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#15-108: Application of Young Ju Chung for an appeal pursuant to Town of Orangetown Code, Section 12-4 (C) for relief from Historic Areas Board of Review Decision # 15-15 dated November 10, 2015. The premises are located at 246 Route 9W, Palisades, New York and are identified on the Orangetown Tax Map as Section 78.17, Block 2, Lot 18; in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 2, 2015 at which time the Board made the determination hereinafter set forth.

Marc Comito, Contractor, Terry Rice, Attorney, Jay Greenwell, L.S. and Robert Hoene, Architect, appeared and testified.

The following documents were presented:

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).
6. Historic Areas Board of Review Decision # 15-15 stamped November 19, 2015.
7. Vicinity Map Exhibit dated 12/02/2015 by Jay Greenwell, PLS, LLC, submitted at the December 2, 2015 meeting.
8. Nine previous HABR Decision that were approved by the Historic Areas Board of Review were submitted by Terry Rice, Attorney at the hearing December 2, 2015.
9. Petition in support of HABR Decision submitted by Milbry Polk with many names but no signatures.
10. Letter in support of HABR Decision regarding HABR#15-15 with three pages attached with 36 signatures and nine signatures are crossed out.
11. A letter submitted by David Wolk that was written and signed by Eugene Kohn, 27 Heyhoe Woods Road, Palisades, NY.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9), (10), (12) and/or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Ms. Salomon, aye; Mr. Feroldi, aye; and Mr. Quinn, aye; and Mr. Sullivan, aye.



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Terry Rice, Attorney, testified that the applicant was denied by the Historic Areas Board of Review for the construction of a single family two-story structure in the R-40 zoning district; that they believe that they satisfied the vague requirements of the code and that if the code is vague the requirements should be construed in favor of the applicant; that the applicant has attempted to accommodate the concerns of the Board; that similar dwellings have been approved by the Board; that the lot is 95,000 sq. ft.; that the lot is secluded from neighbors; that google maps show how faraway the proposed structure would be from adjoining properties; that the applicant appeared before the Historic Board in September with a 12,000 sq. ft. house that required no area variances and returned in October and November and reduced the size of the structure by 1,700 sq. ft. and the height of the house by 7 ½'; that the basement was eliminated because of the water table and a crawl space proposed in its place; that the Historic Board was also given a copy of the proposed landscape plan that is adding an addition 30 large Norway Spruce because it was pointed out that many of the existing trees are deciduous and will be bare in the winter; that he would like to submit copies of nine other homes that were approved in the area, showing that this proposed home does harmonize with some of the surrounding homes; that this lot is very secluded and gated from Route 9W; that the lot is not in an actual neighborhood because it cannot be seen from the streets by passersby; that it is designed similar to #9 Kopac Lane, that other than Kopac Lane properties, two parcels adjoin the lot, 700 Oak Tree Road and this house will be 576' from that property and 239 Route 9W and the house will be 525' from that property; that one of the neighbors seem to have undue influence on the Board; that the application was not denied three times; that the applicant asked to continue the item three times; that multiple structures are not permitted in this zone; that the proposed structure would be 500 feet from the Bucciarelli house; that they have never said that Palisades is not a community; that the petition is nice but it is not a standard by which the Board makes decisions; that the Chairwoman of the Historic Board did not objectivity when she stated that the application is "raping" the historic area; that precedent has been set for large structures; that this large lot is separated by distance and landscape and when compared to other structures, it should be taken into consideration that this is a house in the woods; that the guidelines were not overlooked but they are vague, subjective and the applicant has been trying to please the board; and the ordinance needs to be upgraded; that the statistics supplied by Mr. Little are insulting; that provision controls over circumstances, size is not the beginning and end all; that the house is faraway and set on its own; that it is a beautiful home and not an institution.

Jay Greenwell, Land Surveyor, testified that no area variances are required for the house with the exception of the street frontage; that the proposed floor area ratio is .107 and .15 is permitted; that the lot is 96,000 sq. ft.; that the design of the house was lowered by 7 ½ feet, and no height variance was required; that the concerns about run-off have been addressed; that a swale has been added along with a landscape berm and oversized rain garden that would direct the water to the wetlands; that supplemental evergreen screening has been proposed; that there is a 50 foot minimum border; that they have appeared before the Board three times in an effort to cooperate with the Board and neighbors; that they were asked to move the guest wing and attempted to show that to the Board and the goal post keeps getting moved; that the seclusion of the proposed dwelling and the project area should be considered; that the applicant did her research and had no reason to believe that she could not build her dream house because she is meeting all the zoning requirements and picked a house that was previously approved by the historic board to model her home after; that she is using the same architect that designed many of the homes on Kopac Lane; that the only variance she needed was for street frontage; that the property could be subdivided and two 6,000 sq. ft. houses could be built; that her request is reasonable; that the environmental issues have been addressed; that the word harmony has been talked about a lot; that if the house was visible from Closter or Oak Tree Road it would be understandable to say that it harmonizes with the neighborhood, but this house is not visible from the streets; that a person in the audience stated that the candles decorating a house on Oak Tree were beautiful and depict the neighborhood, but this house will not have a street scape, people will not be walking or driving by the house



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because it is set in the woods, 600 feet from Route 9W and surrounded by the cemetery, school district and Bucciarelli property ; that many trees will remain on the lot and thirty additional evergreens are proposed; that points of light will show but not as brightly as the flood lights from the golf range that existed for many years; that to say this house can be deemed as raping the land is scary; that the limiting factor for size of a house is the floor area ratio and the applicant should be rewarded for not subdividing the land; that there were almost no comments on the architecture of the house; and they ask that the Board vacate the Historic Areas Board of Review.

Robert Hoene, Architect, testified that the original request for the house size was well below what the zoning code would allow; that Mrs. Chung has been very cooperative regarding the requests from the Board; that she started out with a 12,124 sq. ft. house and reduced it to 10,356 sq. ft. and lowered the height by 7 ½ feet; that the house is being built almost at the existing grade of the property; that additional landscaping was added to the plan to assure privacy for the neighbors and for Mrs. Chung; that the Board had mentioned massing of the house and at the last meeting an alternate plan was submitted for discussion which lowered the roof lines on the guest portion of the house to make it appear smaller and apart from the main house but that did not appear to be enough and it felt discouraging that the directions kept being changed.

Marc Comito testified that they kept being told that they are getting closer but they are not there yet; that the design of the house is extremely similar to a house that was previously approved on Kopac Lane; that they kept trying to show that they were cooperating; that the last design that was done the day of the hearing in November was too large; that they were not being given any clear direction; that lowering the house by 7 ½ feet and removing 1,700 ft. from the structure was not enough; that the lot allows a 14,000 sq. ft. house; that the architectural elements were not discussed; that the proposed house sits on a heavily wooded lot and is a distance from abutting property owners; that they felt that the goal post kept moving; and that they needed a clear number for an acceptable size for the house.

Public Comment:

William Walther, 694 Oak Tree Road, testified that he is the only architect sitting on the Historic Areas Board of Review; that he did not plan on speaking but would like to clarify some inconsistencies for the Board; that if the Board had the stenographer notes they would see that the conversation was different; that there was a lot of discussion regarding mass and volume of the structure and a conversation suggesting the possibility of breaking apart the structure similar to a farm with multiple structures, the guest house from the main house; that he thought the change of plans that were brought to the November meeting, were the beginning of a new conversation; that the Board could only vote on what was submitted and indicated any more discussion would have continued not evolved into multiple components.

Susan Nemesday, 19 Lawrence Lane, testified that she went to the tax assessor and printed out the tax map for the Palisades Historic District; that 98% of the houses are half the size of the proposed 10,000 sq. ft. house; that two houses are larger, Bill Murray's house and the house named Cliffside; that 503 homes are less than half the size; that this house will be seen for six months out of the year; that the people in Palisades pay tremendous taxes and want the historic character of the neighborhood preserved; that this application has been denied by the Historic Areas Board of Review three times; that the Google map page shows that this house is more suited for Rockleigh or Old Tappan New Jersey; that it does not fit into the character of the Palisades area.

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Aiden Quinn, 40 Highland Avenue, testified that he is in complete agreement with Susan, that none of these gentlemen live in this community; that he moved here for the community; that Palisades is a real community, that the last time there was a power outage, anyone with a generator hosted the rest of the community for potluck dinners and wine; that he moved here from Englewood 14 years ago, where all the houses look like this one, and none of the neighbors knew each other; that this speaks to the soul of the Palisades community and it is a community that is well loved and needs to be preserved.

Larry Bucciarelli, 700 Oak Tree Road, testified that he is a member of the Historic Areas Board of Review and an abutting property owner, that has recused himself from the Board for this application; that he is 100 feet away from this 10,389 sq. ft. house; that he owns three acres of property and has a 2,900 sq. ft. home; that his house will be 73% smaller than this proposal; that this 2.1 acres would be like spot zoning; that Mr. Kopac sold the golf range to developers and that area is self-contained; that Mr. Kennell sold two lots; that this house will be seen from late fall to early spring by Oak Tree Road, Heyhoe Woods and Route 9W; that he hopes this Board will deny the reversal of the HABR decision because any less would be gentrification and spot zoning.

Milbry Polk, 236 Route 9W testified that she agrees with everything else that has been said; that they are a community; that she has a petition with 350 signatures; that this has been denied three times already; that if the Board allows this it will set a new precedent; that it exceeds the size of all the surrounding houses; and she read page one of the petition. (see attachment 1)

Margaret Raso, 34 Summit Avenue, Tappan, testified that she is the Chairperson for the Historic Areas Board of Review and this house has 172 windows and 26 doors; that the houses on Kopac Lane reflect each other; that they do not want this house in this area; that it belongs in Alpine New Jersey; that Mc Mansions do not belong, that they are looking for character; and this is raping the area and they need to stop the rape.

Carol Knudson, 35 Closter Road, testified that she is treasurer of the cemetery; that they are concerned with water damage and flooding of the cemetery and the damage that it would cause.

Thano Schoppel, 193 Washington Street, Tappan, testified that he is a member of the Historic Areas Board of Review for 30 years; that he can name one hand the number of applicants that have denied; that this does not harmonize with the neighborhood; and that if it proceeds, it will become the new normal for Palisades.

Rex Lalire, 18 Heyhoe Woods Road, testified that he does not think that people should be told what size house to live in; that the house is proposed in the most historic part of Palisades; that the selected interface style does not fit; that Kopac Lane is inward looking development that this house is going to be built next to an historic cemetery in the woods and it is a "show me house" that should be built on a hill for all to see.

Eileen Larkin, 15 Horne Tooke Road, Palisades, testified that this area is rich in history; that Horne Took pity on the widows and the orphans and in 1971 she moved here; that the professionals have legal professional responsibility to advise their clients that they are purchasing in an historic district; that none of these professionals live here; that it is unfortunate they overlook the guidelines of the historic district; that this does not harmonize with Palisades District; that she noticed beautiful decorations on the home next to the community center on her way here and that is what the district needs; that this is preserving the hamlet; that they have no hardship and should build a home that harmonizes with the history of the area; that the architect should respect the district.

Carol LaValle, 73 Main Street, testified that she is president of the Tappantown Historic District; that she is speaking in support of the HABR decision; that she agrees with everything that was said; that the HABR is consistent in their evaluation of house in context of the community; that they have tried with this applicant; that they are meticulous in the way that they come to a decision; that the ordinances needed to be strengthened and the loopholes closed; and that the Board should uphold the Historic board decision.

David Wolk, 10 Heyhoe Woods Road, read a letter into the record that was written by his neighbor Eugene Kohn, 27 Heyhoe Woods Road and testified that the definition section of the code book states that harmonize, harmonious is in relation to surrounding structures.

Livia Bartells, 6 Post Lane, Palisades, testified that she is 17 years old ; that she brings a different perspective to the issue; that Palisades is a quiet place and it is designed that way; that the large materialistic house would be out of character the area; that this is a community and taking 7 ½ feet out of the height by removing it from a basement is not giving much.

Adam Karafiol, 7 Kopac Lane, Palisades, testified that he would agree with the Board that Kopac Lane is its own community as was designed as a development; that when he was building his house he appeared before the Board several times at great cost and finally went through instead of going against the Board.

Diane Donnelly, 25 Closter Road, Palisades, testified that she was born and raised in Rockland and her development looks like the one she grew up in as a kid; and she has no basement in her house.

Fred Little, 71 Woods Road, Palisades, testified that he is an academic advisor for architect and design for 800 students; that he has been doing this for 18 years; that there is a misunderstanding regarding zoning and historic districts; that his father-in-law wrote the law; that zoning laws are not sufficient to protect the historic district; that section 12-8 states that in the event that any of the provisions of this local law shall be in conflict with the provisions of any other local law or ordinance of the Town of Orangetown, the provisions of this local law shall control; that the Historic Area law has authority over the square footage; that if the Board uses Kopac Lane as precedent then more larger homes will be argued for and then there will be a 15,000 sq. ft. house and then 20,000 sq. ft. and 25,000 sq. ft.; this is a significant gesture.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

**FINDINGS OF FACT AND CONCLUSIONS:**

After personal observation of the property, hearing all the testimony and reviewing all documents submitted, the Board found and concluded that:

1. The applicant expressed a willingness to be flexible and reduce the size of the house, so long as specific measurements are discussed during dialogs with HABR.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that HABR Decision #15-15 of 11/10/2015 is vacated and re-opened so as to allow the applicant to return to the Historic Areas Board of Review for further review, and directed that HABR discuss Specific Measurements during dialog with the applicant; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

**General Conditions:**

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.
- (iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.
- (v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

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Ms. Salomon stated that the mass and volume of the structure should be put into multiple components as requested by the Historic Board and the application as presented is not in harmony and is not in conformity stylistically with the area; that it would have an adverse impact on community character and surrounding property values and that the applicant does not have a hardship because the property could be subdivided and two smaller houses could be constructed. Ms. Castelli stated that she agrees with the statement made by Ms. Salomon.

The foregoing Resolution to vacate and re-open HABR Decision #15-15 of 11/10/2015, in light of the applicant's willingness to be flexible to reduce the size of the home, and to re-visit the HABR application at the Historic Areas Board of Review, with direction to HABR that specific measurements be discussed during dialog with the applicant; was presented and moved by Mr. Sullivan, seconded by Mr. Quinn, and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye ;Ms. Castelli, nay; Ms. Salomon, nay; and Mr. Sullivan, aye. Mr. Bosco 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: December 2, 2015

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

TOWN CLERK  
HIGHWAY DEPARTMENT  
ASSESSOR  
DEPT. of ENVIRONMENTAL  
MGMT. and ENGINEERING  
FILE,ZBA, PB  
CHAIRMAN, ZBA, PB, ACABOR

## PALISADES: Support of HABR decision

About this petition

Dear Town of Orangetown Zoning Board of Appeals,

We, the undersigned, are in support of the **Historic Area Board of Review's** (HABR's) decision to deny the construction of a 10,000/12,000 sq ft home located at 246 Route 9W in Palisades, NY. **HABR #15-15**

**HABR #15-15** was denied **THREE** times at their HABR appearances on September 8, October 13 and November 10, 2015.

The approval of **THIS** home, of this size (10,000/12,000 sq ft ) and height (41 ft) will set a **NEW** precedent of sq/footage and height of residential buildings in the Historic District. Its size **EXCEEDS** the long-standing, existing homes in its surrounding area and is **NOT** in harmony; which violates the guidelines of the Historic Area Board of Review.

Sizes of homes abutting the property:

- Hey Hoe Woods Road: range 2,000 - 3,800 sq ft
- Closter and Oak Tree Roads: range 1,500 - 3,000 sq ft (Commercial building Yonder Hill is 7,000 sq ft)
- RT 9W range: 2,000 - 5,500 sq ft
- Kopec Lane 10 homes averaging 4,400 sq ft. Two exceptions: 5,330 & 6,559 sq feet
- This house will be almost **TWICE** the size of the largest home and up to **FOUR** times the size of the average 2,500 sq ft home.

We are steadfastly against the Zoning Board of Appeals' overturn of HABR's decision on the grounds that:

- HABR was established and charged with the responsibility to make decisions on the construction of and renovation to homes within the Historic District that protect and preserve the overall historic character and integrity of our Historic District,
- these decisions include size, appearance and harmony to neighboring residences,
- upholding the denial of **HABR #15-15** benefits the historic character of **ALL** of Palisades **AND** the Town of Orangetown,
- it is agreed by HABR and the outpouring of Palisades residents that residential buildings of this immense size and mass do not belong in Palisades,
- and the approval of this size, sets an **UNACCEPTABLE** precedent in Historic Districts for future development.

***If the decision by HABR to oppose the planned HABR #15-15 building is overturned, we, the undersigned, believe that it will undermine the very purpose of HABR and further erode the ability of HABR to effectively protect the overall historic character within Tappan and Palisades.***

*Submitted by  
Milby Polk*

## Signatures

1. Name: Carol Baxter on 2015-11-30 14:03:04  
Comments: 34 Lawrence Lane  
PalisadesNY
2. Name: milbry polk on 2015-12-01 00:27:55  
Comments:
3. Name: Larry Bucciarelli on 2015-12-01 01:47:08  
Comments:
4. Name: Keith Cozza on 2015-12-01 02:49:56  
Comments:
5. Name: Jared Cohen on 2015-12-01 03:03:00  
Comments:
6. Name: Michele Balm on 2015-12-01 03:18:13  
Comments: Please do not allow this mansion to be built in our historic Palisades! It would set an awful precedent.
7. Name: Sunny Park on 2015-12-01 03:18:56  
Comments:
8. Name: Jeremiah Dickey on 2015-12-01 03:20:15  
Comments:
9. Name: Joyce Gavin on 2015-12-01 03:24:09  
Comments:
10. Name: Deborah Sears on 2015-12-01 03:24:19  
Comments:
11. Name: Pauline zervoudis on 2015-12-01 03:26:23  
Comments: Kopac Lane resident
12. Name: Alice Buchanan on 2015-12-01 03:28:09  
Comments:
13. Name: robert adzema on 2015-12-01 03:32:40  
Comments:

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26. Name: Marianne brown on 2015-12-01 04:14:20  
Comments:

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27. Name: Blythe Anderson Chase on 2015-12-01 04:17:06  
Comments: 286 Route 9W, Palisades, NY 10964

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28. Name: Kathleen Sykes on 2015-12-01 04:23:31  
Comments:

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~~29. Name: Lisa Argento on 2015-12-01 04:23:57  
Comments:~~

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30. Name: William Hodash on 2015-12-01 04:25:26  
Comments:

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31. Name: Lis Argento on 2015-12-01 04:30:00  
Comments: 60 Highland Avenue Palisades NY 10964

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32. Name: David Wolk on 2015-12-01 04:53:56  
Comments: A house this size has no place in the historic district of Palisades for all the reasons set forth in the Historic Review Board mandate.

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33. Name: Edmund Kalotkin on 2015-12-01 04:56:09  
Comments: 1 Scotti Avenue

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34. Name: Christopher chin on 2015-12-01 04:58:54  
Comments: 39 horne tooke road, palisades, ny

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35. Name: Lisa Rinehart on 2015-12-01 05:03:43  
Comments:

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36. Name: Carol L> Stewart on 2015-12-01 05:24:33  
Comments:

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37. Name: Jane Bernick on 2015-12-01 09:50:21  
Comments: 64 Ludlow Lane  
Palisades, NY

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38. Name: Ray Bernick on 2015-12-01 10:16:01  
Comments: 64 Ludlow Lane  
Palisades, NY

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52. Name: Jen Citrolo on 2015-12-01 13:35:37  
Comments:

53. Name: Gabor Brichter on 2015-12-01 13:36:23  
Comments:

54. Name: John Jennings on 2015-12-01 13:37:44  
Comments:

55. Name: Kris Haberman on 2015-12-01 13:49:05  
Comments: 96 Washington Spring Road,  
Palisades, NY 10964

56. Name: marina and jim harrison on 2015-12-01 13:50:44  
Comments: 30 Woods Road, palisades, NY  
mailing address:  
p.o. box 657 Palisades, NY

57. Name: margaret a. umbrino on 2015-12-01 13:52:26  
Comments:

58. Name: Lyn Fowler on 2015-12-01 13:57:19  
Comments:

59. Name: Joan chesler on 2015-12-01 14:08:52  
Comments:

60. Name: Ellen Cook on 2015-12-01 14:11:57  
Comments:

61. Name: Maureen Carroll on 2015-12-01 14:14:20  
Comments:

62. Name: Douglas jahnig on 2015-12-01 14:17:44  
Comments:

63. Name: Mary Tiegreen on 2015-12-01 14:18:32  
Comments:

64. Name: Cellen F. Wolk on 2015-12-01 14:20:09  
Comments:

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Comments: 14 Muroney Avenue  
Palisades, NY 10964

- 
78. Name: Michael Shanahan on 2015-12-01 15:31:39  
Comments: Kopac Lane
- 
79. Name: Jeff Brodsky on 2015-12-01 15:36:07  
Comments:
- 
80. Name: Maria Gagliardi on 2015-12-01 16:00:30  
Comments: 45 Eimer St  
Tappan, NY 10983
- 
81. Name: Sue Walther, Palisades, NY on 2015-12-01 16:04:01  
Comments:
- 
82. Name: Andrea Pecorino on 2015-12-01 16:06:27  
Comments: Shows just how little consideration the people building this "home" have for their neighbors and neighborhood. Not to mention what a structure that size will do to the surrounding landscape both visually and more importantly, environmentally.
- 
83. Name: Christine DeFelice on 2015-12-01 16:07:32  
Comments: 2 Kopac Lane
- 
84. Name: Emilio DeFelice on 2015-12-01 16:11:47  
Comments: 2 Kopac Ln
- 
85. Name: Brenda Josephs on 2015-12-01 16:25:06  
Comments: We fully support the HABR's three denials of the construction of a 10,000/12,000 square foot home in Palisades. We love living here because of the nature of our little hamlet. There are many other areas in which to build a house of that size if that is one's desire.
- 
86. Name: Brenda Josephs on 2015-12-01 16:32:37  
Comments: I neglected to include my address with my comment above. My address is:  
120 Ludlow Lane  
Palisades, NY
- 
87. Name: Harriet Hyams on 2015-12-01 16:33:13  
Comments:
- 
88. Name: LYNN SYKES on 2015-12-01 16:49:14  
Comments:

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- 
100. Name: Ellie Ettz on 2015-12-01 18:41:55  
Comments:
- 
101. Name: Eugene Kohn on 2015-12-01 18:43:26  
Comments: My belief is that the Zoning Board Members will do the right thing, as they have in the past, and support the decision of the HABR.
- 
102. Name: Glen Orecchio on 2015-12-01 18:44:27  
Comments: 10 Kopac Lane Palisades, NY
- 
103. Name: Bernard Doyle on 2015-12-01 18:45:36  
Comments:
- 
104. Name: Mercy Garland on 2015-12-01 18:51:14  
Comments: 45 Eimer Street, Tappan NY
- 
105. Name: Alexander Lalire on 2015-12-01 19:01:41  
Comments: 16 Hey Hoe Woods Rd.
- 
106. Name: Henry and Liz Ottley on 2015-12-01 19:11:05  
Comments:
- 
107. Name: Janet Riccobono on 2015-12-01 19:20:28  
Comments:
- 
108. Name: Gabor Nemesdy on 2015-12-01 19:29:24  
Comments: 19 Lawrence Lane
- 
109. Name: Shelly Cohen on 2015-12-01 19:51:05  
Comments:
- 
110. Name: Bree Polk-Bauman on 2015-12-01 20:10:56  
Comments: 236 Route 9W
- 
111. Name: Diane Donnelly on 2015-12-01 20:16:53  
Comments: Palisades is known for its small town feel & normal size homes that are not pretentious. Should someone want to build a 10,000 - 12,000 sq. ft. home in this neighborhood, they should realize that it will meet with opposition from long-time residents who don't want an ostentatious house built in their neighborhood, destroying its character. If someone wants to build a gigantic McMansion, they should entertain building in Ft. Lee or Englewood, NJ where oversize houses are the norm and would not

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124. Name: Marjorie Derven on 2015-12-01 22:45:53  
Comments: It is important to current and future residents to maintain the special quality of Palisades. Please do not approve this!

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125. Name: Richard Kuczkowski on 2015-12-01 22:47:49  
Comments:

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126. Name: Elsie Lowell on 2015-12-01 23:22:46  
Comments:

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127. Name: Margaret Grace on 2015-12-01 23:28:49  
Comments: Please act to protect our historic district in Palisades - it is a treasure for the entire Town - and deny this request for a hugely disproportionate construction.

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128. Name: Julia Eisenberg on 2015-12-01 23:31:13  
Comments:

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129. Name: Nancy Russell on 2015-12-01 23:31:15  
Comments:

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130. Name: Roslyn lampert on 2015-12-01 23:34:30  
Comments:

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131. Name: Dr. William H Menke on 2015-12-01 23:36:53  
Comments:

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132. Name: Denise Kronstadt on 2015-12-01 23:36:56  
Comments:

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133. Name: Carol Mountain on 2015-12-01 23:52:47  
Comments: There are so many other places to put such a big house. Lovely, historic Palisades, NY will be over run with huge houses that only wealthy people can build or buy. We all know that big money buys what it wants but it doesn't have to always be that way. Longtime residents have taken good care of Palisades. It would be a slap in their face to overrun the area with giant houses.

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134. Name: Jackie Martin on 2015-12-02 00:30:19  
Comments:

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135. Name: Joan Hooker on 2015-12-02 00:34:00  
Comments:

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Comments: 40 Highland Ave. Palisades

- 
150. Name: Clare Sheridan on 2015-12-02 02:12:21  
Comments: Please respect the HABR decisions and keep Palisades' historic district intact.
- 
151. Name: Alana Carey on 2015-12-02 02:14:22  
Comments:
- 
152. Name: valerie Fulton-Stanley on 2015-12-02 02:15:22  
Comments:
- 
153. Name: Sharon Quayle on 2015-12-02 02:27:35  
Comments:
- 
154. Name: Susan Deeks on 2015-12-02 02:31:34  
Comments:
- 
155. Name: William Sheridan on 2015-12-02 02:36:33  
Comments: This would be beyond the pale...  
Please, please listen to the decision made by HABR. They should build this in the Hamptons or Alpine...
- 
156. Name: Ann Prusinowski on 2015-12-02 02:41:09  
Comments: 11 closter rd palisades
- 
157. Name: Eric Prusinowski on 2015-12-02 02:44:51  
Comments:
- 
158. Name: Eric Prusinowski on 2015-12-02 02:45:45  
Comments: 11 closter rd  
Palisades NY
- 
159. Name: Jeanne DiMeglio on 2015-12-02 02:50:23  
Comments: 1 Iroquois Ave. Palisades, NY 10964 .I am against the construction of a 12,000' building in Palisades. It just shows a huge lack of respect to long time residents and intrusiveness to the natural habitat. I would be wary of a church scenario.
- 
160. Name: Marthe Schulwolf on 2015-12-02 02:53:49  
Comments:
- 
161. Name: Susan schuler on 2015-12-02 02:55:06  
Comments:
- 

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going in.

- 
175. Name: Jeffrey Quinn on 2015-12-02 05:03:12  
Comments:
- 
176. Name: Grace Knowlton on 2015-12-02 05:05:00  
Comments:
- 
177. Name: Alayne Fitzpatrick on 2015-12-02 05:06:56  
Comments:
- 
178. Name: Jeanine Vecchiarelli on 2015-12-02 05:12:31  
Comments:
- 
179. Name: Edward Bach on 2015-12-02 05:13:20  
Comments:
- 
180. Name: Edwin Richardson on 2015-12-02 05:20:08  
Comments:
- 
181. Name: Sonya Harum on 2015-12-02 05:28:19  
Comments:
- 
182. Name: maggie goodman on 2015-12-02 06:00:03  
Comments:
- 
183. Name: Cynthia Jones on 2015-12-02 06:12:02  
Comments:
- 
184. Name: Roy Kamen on 2015-12-02 06:20:50  
Comments:
- 
185. Name: Shari Brodsky on 2015-12-02 06:45:17  
Comments:
- 
186. Name: Jeffrey Levine on 2015-12-02 09:37:09  
Comments: 7 Century Rd  
Palisades, NY  
Please preserve the character of our town!
- 
187. Name: Beth dubas on 2015-12-02 10:51:17  
Comments:

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199. Name: David Englander on 2015-12-02 12:14:12  
Comments: 108 Washington Spring Road  
Palisades, NY 10964

200. Name: Paul E. Olsen on 2015-12-02 12:14:22  
Comments:

201. Name: Benjamin Wolk on 2015-12-02 12:16:18  
Comments:

202. Name: Jared Levine on 2015-12-02 12:18:53  
Comments:

203. Name: e kelter on 2015-12-02 12:23:24  
Comments:

204. Name: Wilson George on 2015-12-02 12:26:30  
Comments: Deny the construction of large homes. Thanks

205. Name: kathryn minnerop on 2015-12-02 12:49:44  
Comments: Preserve the quality of the historic district. Do not allow this huge home.

206. Name: Luke O. Rielly on 2015-12-02 12:50:25  
Comments:

207. Name: Stephen Richardson on 2015-12-02 12:54:27  
Comments:

208. Name: Kay Stephan on 2015-12-02 13:01:23  
Comments:

209. Name: Catherine Allen on 2015-12-02 13:06:18  
Comments:

210. Name: Henry Minnerop on 2015-12-02 13:09:49  
Comments:

211. Name: walter aurell on 2015-12-02 13:11:43  
Comments:

212. Name: Larry Tabor on 2015-12-02 13:18:48  
Comments: No single family needs 7000 square feet, thus 12,000 boarders on the

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225. Name: Marc Silverstein on 2015-12-02 14:02:42  
Comments:
- 
226. Name: Neal Harris on 2015-12-02 14:14:02  
Comments:
- 
227. Name: joan lehman on 2015-12-02 14:28:18  
Comments:
- 
228. Name: Linda Levy on 2015-12-02 14:36:37  
Comments:
- 
229. Name: Rebecca Gmucs on 2015-12-02 14:42:27  
Comments:
- 
230. Name: Natalie Boelman on 2015-12-02 14:46:39  
Comments:
- 
231. Name: Kathleen Askildsen on 2015-12-02 14:52:01  
Comments:
- 
232. Name: Winston Perry on 2015-12-02 14:55:27  
Comments:
- 
233. Name: joan konner on 2015-12-02 15:00:07  
Comments: 99 Corbett Lane
- 
234. Name: Sara Askildsen on 2015-12-02 15:08:30  
Comments:
- 
235. Name: John Armbruster on 2015-12-02 15:09:08  
Comments: As someone who has worked in Orangetown for 45 years I don't want this monster house  
Address: 2 Wilding Way, Sparkill
- 
236. Name: Paul Papay on 2015-12-02 15:12:17  
Comments: HABR's decision is in keeping with Article 12-4 G of the Town Code in that "New structures are to harmonize in general character with structures built in the immediate surrounding area. " This application is clearly disharmonious.
- 
237. Name: Jonah Levine on 2015-12-02 15:16:00

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249. Name: Rachel Newman on 2015-12-02 15:57:16  
Comments:

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250. Name: Julia Balm on 2015-12-02 16:00:11  
Comments:

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251. Name: Mathew Lonberg MD on 2015-12-02 16:00:24  
Comments: This would not fit with the overall feel of a historic neighborhood and exceeds size and scope, therefore disruption of harmony

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252. Name: Marty Nealon on 2015-12-02 16:00:38  
Comments:

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253. Name: John Fowle on 2015-12-02 16:02:56  
Comments:

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254. Name: Alice Gerard on 2015-12-02 16:03:56  
Comments:

---

255. Name: David Howe on 2015-12-02 16:04:47  
Comments:

---

256. Name: Catherine A. Kalaydjian on 2015-12-02 16:06:03  
Comments:

---

257. Name: Gregory & Antonia Fricke Sr. on 2015-12-02 16:06:28  
Comments: My wife and are are totally against any new construction in this Historic Area, that is not in complete compliance with the districts requirements and violates the guidelines of the Historic Area Board of Review.

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258. Name: Marc N. Perzan on 2015-12-02 16:07:04  
Comments:

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259. Name: Seta Tunell on 2015-12-02 16:07:59  
Comments:

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260. Name: David on 2015-12-02 16:08:22  
Comments:

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261. Name: Mary Ellen Ledwith on 2015-12-02 16:08:44  
Comments:

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Comments:

- 
275. Name: Sara Cooper on 2015-12-02 16:33:13  
Comments: 240 Tweed Boulevard  
Nyack, NY 10960
- 
276. Name: William Abramson on 2015-12-02 16:36:30  
Comments: The permission to construct this huge home in the Historic Area would  
destroy the current beauty of the area.
- 
277. Name: Carolyn kavich on 2015-12-02 16:41:56  
Comments:
- 
278. Name: Jennifer Rothschild on 2015-12-02 16:44:30  
Comments: This historic district is so loved by the community - don't ruin it by allowing  
inappropriate overdevelopment.
- 
279. Name: Mia Leo on 2015-12-02 16:48:05  
Comments:
- 
280. Name: Richard Kuczkowski on 2015-12-02 16:50:52  
Comments:
- 
281. Name: Matt Bartels on 2015-12-02 16:52:04  
Comments:
- 
282. Name: Adam Karafiol on 2015-12-02 16:53:01  
Comments:
- 
283. Name: Dayna Karafiol on 2015-12-02 16:55:39  
Comments:
- 
284. Name: Celia Walker on 2015-12-02 16:56:13  
Comments:
- 
285. Name: Brian Jennings on 2015-12-02 17:00:37  
Comments:
- 
286. Name: Ariana Bartels on 2015-12-02 17:01:40  
Comments:
- 
287. Name: Pamela Simboli on 2015-12-02 17:03:57

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301. Name: Richard Esnard on 2015-12-02 18:29:08  
Comments: This structure would be an insult not only to the district but the harmony/  
proportion of the neighborhood. There is a reason for the guidelines this violates it.
302. Name: Judy Finkelstein on 2015-12-02 18:31:17  
Comments: 402 Harbor Cove  
Piermont, NY  
  
I spend almost as much time in Palisades as I do in Piermont. I moved from another part  
of Rockland County that has out of control building so I could be part of a small town.  
Please please preserve the wonderful small town character of Palisades-it is a treasure.
303. Name: Lucy Mortensen on 2015-12-02 18:35:37  
Comments: This home should be stopped!!
304. Name: Deborah Calyo on 2015-12-02 18:36:08  
Comments: Please preserve our history before it is all gone.
305. Name: Naomi Mendelsohn on 2015-12-02 18:41:40  
Comments: Stop neighborhood druction
306. Name: Paulette viana on 2015-12-02 18:42:06  
Comments:
307. Name: Jane Lattes on 2015-12-02 18:57:46  
Comments: This projected home is totally out of character with the character of the  
neighborhood and with the wishes of the other residents.
308. Name: Robert Rasmussen on 2015-12-02 19:01:19  
Comments: Strongly disapprove
309. Name: Adele Garber on 2015-12-02 19:01:55  
Comments:
310. Name: Elaine Siegel on 2015-12-02 19:12:59  
Comments:
311. Name: Abigail Keene on 2015-12-02 19:21:34  
Comments:
312. Name: Diane Salerno on 2015-12-02 19:23:04  
Comments:

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325. Name: Helen Miller on 2015-12-02 19:58:19  
Comments:

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326. Name: Charlotte Salerno on 2015-12-02 20:01:30  
Comments:

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327. Name: Patricia Warne on 2015-12-02 20:12:24  
Comments:

---

328. Name: Suzanne Riccobono on 2015-12-02 20:13:57  
Comments:

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