

MINUTES
ZONING BOARD OF APPEALS
OCTOBER 3, 2007

MEMBERS PRESENT: DANIEL SULLIVAN
WILLIAM MOWERSON
NANETTE ALBANESE
JOHN DOHERTY

ABSENT: PATRICIA CASTELLI

ALSO PRESENT: Kevin Mulhearn, Esq. Deputy Town Attorney
Anne Marie Ambrose, Official Stenographer
Deborah Arbolino, Administrative Aide

This meeting was called to order at 7: 00 P.M. by Chairman William Mowerson.

Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

PUBLISHED ITEMS

APPLICANTS

DECISIONS

CONTINUED ITEMS:

MORALES 77.06 / 3 / 24.1; R-15 zone	FLOOR AREA RATIO, FRONT YARD, SIDE YARD, AND REAR YARD VARIANCES APPROVED	ZBA#07-78
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NEW ITEMS:

MORALES 77.06 / 1 / 3; R-15 zone	ONE YEAR EXTENSION GRANTED	ZBA#07-87
LAYTON 69.18 / 3 / 24; R-15 zone	FRONT YARD VARIANCE APPROVED	ZBA#07-88
OUR LADY OF THE SACRED HEART 77.11 / 1 / 11; R-15 zone	SIGN APPROVED	ZBA#07-89
PARONETTO 75.17 / 2 / 1.3; R-40 zone	FRONT YARD, SIDE YARD BUILDING HEIGHT AND EXTENSION OF NON-CONFORMING VARIANCES APPROVED	ZBA#07-90
BAUER 74.06 / 1 / 19; R-15 zone	FLOOR AREA RATIO, AND ACCESSORY STRUCTURE DISTANCE VARIANCES APPROVED	ZBA#07-91
MUCHOE 72.08 / 3 / 92; R-15 zone	ONE YEAR EXTENSION GRANTED	ZBA#07-92
GRENNAN 77.07 / 2 / 10; R-15 zone	SIDE YARD VARIANCE APPROVED	ZBA#07-93

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 9:15 P.M.

Dated: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

DISTRIBUTION:

Deborah Arbolino
Administrative Aide

APPLICANT
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
ASSESSOR
HIGHWAY DEPARTMENT
SUPERVISOR
TOWN BOARD MEMBERS
BUILDING INSPECTOR (Individual Decisions)
DEPT. of ENVIRONMENTAL MGMT. and ENGINEERING
Rockland County Planning

DECISION

**FLOOR AREA RATIO, FRONT YARD, SIDE YARD AND REAR YARD
VARIANCES APPROVED**

To: George and Leslie Morales
P.O. Box 586
Palisades, New York 10964

ZBA # 07-78
Date: 9 / 19/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-78: Application of George and Leslie Morales for variances from Chapter 43, Section 3.12, R-15 District, Group M, Columns 4 (Floor Area Ratio: .20 permitted, .30 proposed), 8 (Front Yard: 30' required, 12' and 20' are proposed { corner lot= two front yards), 9 (Side Yard: 15' required, 11' proposed) and 11 (Rear Yard: 35' required, 20' proposed) for the construction of a single-family residence. Premises are located at 55 Schreiber Street, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.06, Block 3, Lot 24.1; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

George Morales and Donald Brenner, Attorney, appeared and testified.

The following documents were presented:

1. Architectural plans signed and sealed by Robert Hoene, Architect, dated April 2007 with the latest revision date of June 11, 2007.
2. Survey dated March 22, 2007 by John Atzl, L.S.

3. Vicinity map with highlighted houses in the area of similar size.
4. One photo of a tall house in the area.
5. A picture of a similar size house on Schreiber Street.
6. Pictures of two similar houses on Greene Street.
7. A picture showing the home proximity.
8. A picture of the corner of Summit and Sterling Avenue.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Ms. Albanese, aye; Mr. Sullivan, aye; Mr. Doherty, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Donald Brenner, Attorney testified that this lot was created many years ago; that research shows that it was created around 1926 or 27; that tax records show that taxes have been paid on the lot since 1951; that the first floor of the house is 701 sq. ft. and the second floor is only 520 sq. ft.; that the proposed house is only a two-bedroom house; that the house is in proportion with the lot; and that he meant any new house raises the values of other houses in the area.

George Morales stated that he came into the building department and spoke to people to get advice regarding this property; that he actually got a copy of the plans that were used for the other small new house on the block and took them to his architect to duplicate for this house; that two other small houses similar to this proposal were built on Greene Street; that he has owned the property for a year and a half; that the house on lot #25 is much larger than this proposed house and impacts the neighborhood much more than this house will; that the proposed house is only 19' wide and 39' long; that it is only two bedrooms and that it would be hard to reduce it anywhere.

Public Comment:

Gaetana Restifo Stampone, 54 Schreiber Street, Tappan, testified that she lives directly across the street from this proposal and she wants the Board to know that she is opposed to a house on this lot; that she submitted a letter in opposition for the last meeting; that when she heard that the house would upgrade the neighborhood she was angry; that this is all about money; that the other big house on the block was built on three lots; that the Board should take a ride and see the property; that she wanted to scream when she heard upgrade; that she is opposed to every variance; that if he is allowed to build he should have to build within the code; that she is not a kook; that she is disheartened; that nobody is really honest and the Board should say no.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The requested floor area ratio, front yard, side yard and rear yard variances would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The proposed house is 19' wide, and 39' long and totals 1222.3 sq. ft. and seems reasonable for the lot.
2. The requested floor area ratio, front yard, side yard and rear yard variances would

not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. There are other similar size houses on similar size lots in the area.

3. The benefits sought cannot be achieved by other means feasible for the applicant other than obtaining variances.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested floor area ratio, front yard, side yard and rear yard variances 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.

The foregoing resolution to approve the application for the requested floor area ratio, front yard, side yard and rear yard variances was presented and moved by Mr. Mowerson, seconded by Mr. Sullivan, and carried as follows: Mr. Sullivan, aye; Mr. Mowerson, aye; Mr. Doherty, aye; and Ms. Albanese, nay. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR –B.v.W.

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

DECISION

ONE YEAR EXTENSION GRANTED

To: Wilbert and Beverly Morales
115 Lester Drive
Tappan, New York 10983

ZBA # 07-87
Date: 10/ 3 / 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-87: Application of Beverly Morales for an extension of time to implement the variances granted in ZBA#02-103 dated 12/4/02 : (Chapter 43, Section 3.12, R-15 District, Group M, Column 8 (Front Yard: 30' required, 15.6' existing and proposed) to enclose a screened in porch at an existing single-family residence. Premises are located at 115 Lester Drive, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.06, Block 1, Lot 3; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

Wilbert and Beverly Morales appeared and testified.

The following documents were presented:

1. Survey by H.I. Dorfman, P.E. , dated November 1953.
2. Architectural plans dated May 6, 2002 signed and sealed by Ralph P. Albanese, Architect.

Beverly Morales testified that they ran out of money during the project and that they did not finish the room; that they were told by the Building Inspector that they needed to renew the variance and that is why they are before the Board; and that they would definitely finish the project within one year.

On advice of Kevin Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Ms. Albanese, aye; Mr. Sullivan, aye; Mr. Doherty, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Public Comment:

No public comment.

The Board members made a personal inspection of the premises the week prior to 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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. No significant change in circumstances has occurred since the instant variances were granted which would warrant Board reconsideration of their approval.
2. Applicants stated that they expect construction to begin in the near future.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the extension of time to implement the variances granted in ZBA#02-103 is **APPROVED** for ONE YEAR; 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 these conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any buildings 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 the 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 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 does not constitute “substantial implementation “ for the purposes hereof.

The foregoing resolution to approve the application for the extension of time to implement the variances granted in ZBA#02-103 was presented and moved by Mr. Sullivan, seconded by Mr. Mowerson, and carried as follows: Ms. Albanese, aye; Mr. Sullivan, aye; Mr. Doherty, aye; and Mr. Mowerson, aye. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino, Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR –J.P.

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

DECISION

FRONT YARD VARIANCE APPROVED

To: David and Erin Layton
15 Sunrise Lane
Pearl River, New York 10965

ZBA # 07-88
Date: 10 / 3/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-88: Application of David and Erin Layton for a variance from Chapter 43, Section 3.12, R-15 District, Group M, Column 8 (Front Yard: 30’ required, 24.9’ existing, 23.6’ proposed) for an addition to an existing single-family residence. Premises are located at 15 Sunrise Lane, Pearl River, New York, and are identified on the Orangetown Tax Map as Section 69.18, Block 3, Lot 24; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

Erin Layton appeared and testified.

The following documents were presented:

1. Survey by Anthony Celentano dated April 8, 2002 with proposed porch area highlighted.
2. Hand drawing of proposed porch.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Mr. Sullivan, aye; Ms. Albanese, aye; Mr. Doherty, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Erin Layton testified that she would like to add a front porch to the house; that left side of the house juts out further than the right side of the house;; that he proposed porch is six feet wide; that there would be a 1 foot three inch decrease in the front yard; that she has owned the house for five years and that there is minimal traffic on Sunrise Lane.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The requested front yard variance would 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.
2. The requested front yard variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
3. The benefits sought cannot be achieved by other means feasible for the applicant other than obtaining a variance.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the requested front 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.

The foregoing resolution to approve the application for the requested front yard variance was presented and moved by Mr. Doherty, seconded by Mr. Sullivan, and carried as follows: Mr. Sullivan, aye; Mr. Mowerson, aye; Mr. Doherty, aye; and Ms. Albanese, aye. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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

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

DECISION

SIGN VARIANCE APPROVED

To: Our Lady of the Sacred Heart
120 Kings Highway
Tappan, New York 10983

ZBA # 07-89
Date: 10 / 3/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-89: Application of Our Lady of the Sacred Heart for a variance from Chapter 43, Section 3.11, R-15 District refers to R-80 District, Column 5, # 12 (For any non-residential establishment permitted in R-80, the Zoning board of Appeals may permit a sign not over 20 sq. ft. and applicant is proposing a 16 sq. ft. sign) for a sign at an existing Church. Premises are located at 120 Kings Highway, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.11, Block 1, Lot 11; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

Robert Finning and Reverend John Dwyer appeared and testified.

The following documents were presented:

1. Copy of the sign.
2. Site plan.
3. Copy of sign superimposed on proposed location.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Mr. Sullivan, aye; Ms. Albanese, aye; Mr. Doherty, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Reverend John Dwyer testified that there is a large open area between the entrance and exit area of the parking lot for the church where they are proposing to place the sign; that people coming for weddings or funerals cannot always find the church and the sign would be very helpful; and that the church opted out of the historic district in 1965.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The size (16 sq. ft.) and proposed placement of the sign will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.
2. The requested sign variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
3. The benefits sought cannot be achieved by other means feasible for the applicant other than obtaining a variance.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: RESOLVED, that the application for the requested sign 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.

The foregoing resolution to approve the application for the requested sign variance was presented and moved by Ms. Albanese, seconded by Mr. Sullivan, and carried as follows: Mr. Sullivan, aye; Mr. Doherty, aye; and Ms. Albanese, aye. Mr. Mowerson abstained because he is a parishioner and Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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

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

DECISION

FRONT YARD, SIDE YARD BUILDING HEIGHT AND EXTENSION & ENLARGEMENT OF EXISTING NON-CONFORMING USE VARIANCES APPROVED

To: Fiorenzo and Nijole Paronetto
65 Rockland Road
Sparkill, New York 10976

ZBA # 07-90
Date: 10 / 3/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-90: Application of Fiorenzo and Nijole Paronetto for variances from Chapter 43, Section 3.12, R-40 District, Group E, Columns 8 (Front Yard: 50' required, 16.05' proposed), 9 (Side Yard: 30' required, 26.58 existing, 20' proposed) and 12 (Building Height: 8' 1" permitted, 17' existing, 20' proposed) and from Section 9.34 (Extension and enlargement of the existing 2nd dwelling unit) for an addition to an existing non-conforming gatehouse residence. Premises are located at 65 Rockland Road, Sparkill, New York and are identified on the Orangetown Tax Map as Section 75.17, Block 2, Lot 1.3; R-40 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

Fiorenzo and Nijole Paronetto and Walter Sevatan, Attorney, appeared and testified.

The following documents were presented:

1. Plans signed and sealed by Brian Brooker, P.E., dated 2/22/07 (4pages).
2. A letter dated August 29, 2007 from the County of Rockland Department of Planning signed by Salvatore Corallo, Commissioner.
3. A letter dated August 27, 2007 from the Palisades Interstate Park Commission signed by Karl B. Roecker, Junior Landscape Architect.
4. A letter dated September 12, 2007 from the County of Rockland Sewer District No.1 signed by Joseph LaFiandra, Engineer II.
5. A letter dated September 26, 2007 from the County of Rockland Drainage Agency signed by Edward F. Devine, Executive Director.
6. Three letters from abutting property owners.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Ms. Albanese, aye; Mr. Doherty, aye; Mr. Sullivan, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Wally Sevatan testified that Mr. and Mrs. Paronetto have owned the estate for 39 years;

that the estate has 5.79 acres of property and the main house was constructed in the 1700's; that the Paranello's would like to add 728 sq. ft. to the existing caretaker cottage; that the existing cottage is too small to serve a caretaker; that the comment from Rockland County Planning regarding subdivision of the property doesn't make sense because this is one of very few true estate properties left in the County; that the caretakers cottage is close to the wind in the road but the proposed addition would be further away from the road; that the addition was designed by Jerry Vis who is very aware of the historical value of the property; that the applicant's would like to make a functional apartment without causes any detriment to the neighborhood; that this addition would not cause an undesirable change to the neighborhood; and that three of the closest neighbors have submitted letters in support of the project.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The requested front yard, side yard, building height and extension/enlargement of non-conforming use variances would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. This is a 5.79 acre lot in the R-40 zoning district and the applicant is proposing a 728 sq. ft. addition to an existing gate house while keeping the estate property intact.
2. The requested front yard, side yard, building height and extension/enlargement of non-conforming use variances would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
3. The benefits sought cannot be achieved by other means feasible for the applicant other than obtaining variances.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the requested front yard, side yard building height and extension/enlargement of a non-conforming use variances 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.

The foregoing resolution to approve the application for the requested front yard, side yard, building height, and extension/enlargement of non-conforming use variances was presented and moved by Mr. Mowerson, seconded by Mr. Sullivan, and carried as follows: ; Mr. Doherty, aye; Mr. Sullivan, aye; Mr. Mowerson, aye; and Ms. Albanese, aye. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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

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

DECISION

FLOOR AREA RATO AND SECTION 5.153 VARIANCES APPROVED

To: James Nawoichyk and Marie Bauer
55 Chestnut Oval
Orangeburg, New York 10962

ZBA # 07-91
Date: 10 / 3/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-91: Application of James Nawoichyk and Marie Bauer for variances from Chapter 43, Section 3.12, R-15 District, Group M, Column 4 (Floor Area Ratio: .20 permitted, .369 existing, .405 proposed) and from Section 5.153 (Accessory Structure Distance to principal building: 15' required , 11' proposed) for a 12' x 26' storage shed at an existing single-family residence. Premises are located at 55 Chestnut Oval, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.06, Block 1, Lot 19; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

James Nawoichyk and Marie Bauer appeared and testified.

The following documents were presented:

1. A copy of a site plan not signed or sealed.
2. Copies of several different types of sheds (3 pages).
3. Five letters in support of the application.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Mr. Doherty, aye; Mr. Sullivan, aye; Ms. Albanese, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Jim Nawoichyk testified that Marie is a Special Education teacher in South Orangetown; that the house has been in the family since 1958; that she has three children aged 23, 21 and 18; that her mom resides there sometimes; that he has lived there since 1987 and his thirteen year old daughter is there regularly; that the house is built on a slab; that there is no storage in the house; that in 199 they came before the Board for variances for the addition but they still do not have storage space; that he is paying \$320.79 a month for two storage units in Northvale, New Jersey; that he keeps the snow blower in his neighbors garage; that they have exhausted all means of storage; and that they would really appreciate the variances necessary to permit 12' x 26' storage shed.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The requested floor area ratio and accessory structure distance variances as modified would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar storage sheds have been constructed in the area.
2. The requested floor area ratio and accessory structure distance variances as modified would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
3. The benefits sought cannot be achieved by other means feasible for the applicant other than obtaining variances.

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 accessory structure distance variances 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.

The foregoing resolution to approve the application for the requested floor area ratio and

accessory structure distance variances was presented and moved by Mr. Sullivan, seconded by Mr. Doherty, and carried as follows: Mr. Sullivan, aye; Mr. Mowerson, aye; Mr. Doherty, aye; and Ms. Albanese, aye. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
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OBZPAE
BUILDING INSPECTOR -J.P.

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

DECISION

**EXTENSION OF TIME TO IMPLEMENT VARIANCES GRANTED
IN ZBA#04-144 GRANTED**

To: Michael and Maria Muchoe
6 Ladik Place
Pearl River, New York 10965

ZBA # 07-92
Date: 10 / 3/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-92: Application of Michael and Maria Muchoe for an extension of time to implement the variances granted in ZBA# 04-144: Chapter 43, R-15 District, Group M, Columns 4 (Floor Area Ratio: .20 permitted, .248 proposed), 8 (Front Yard: 30' required, 24.659' proposed), 11 (Rear Yard: 35' required, 1.488' existing for an existing structure, without a certificate of occupancy, that encroaches past state line by 2.939'), 12 (Building Height: 1.488' permitted 20.3' proposed for the addition to the house; -2.939 permitted for existing gazebo over state line: 13.5' existing) for an addition to an existing single family residence.. Premises are located at 6 Ladik Place, Pearl River, New York and are identified on the Orangetown Tax Map as Section 72.08, Block 3, Lot 92; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

Jonathan Hodash appeared and testified.

The following documents were presented:

1. Architectural plans dated October 1, 2002 with the latest revision date of September 23, 2004 signed and sealed by Jonathan Hodash, Architect.
2. A letter dated August 24, 2007 from the County of Rockland Department of Planning signed by Salvatore Corallo, Commissioner.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Mr. Doherty, aye; Mr. Sullivan, aye; Ms. Albanese, aye and Mr. Mowerson, aye. Ms. Castelli was absent.

Jonathan Hodash testified that one third of this lot is in Montvale; that the need for most of the bulk variances is caused by this; that Montvale did not comment the last time this application was before the Board; that Mr. and Mrs. Muchoe couldn't move forward before because of family problems but they would be happy with a one year extension.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. No significant change in circumstances has occurred since the instant variances were granted which would warrant Board reconsideration of their approval.
2. Applicants stated that they are in the process of getting estimates and expect construction to begin in the near future.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the requested extension of time to implement the variances granted in ZBA#04-144 is **APPROVED** for ONE YEAR; 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.

The foregoing resolution to approve the application for the requested floor area ratio and front yard variances as modified was presented and moved by Mr. Doherty, seconded by Mr. Sullivan, and carried as follows: Mr. Mowerson, aye; Mr. Sullivan, aye; Mr. Doherty, aye; and Ms. Albanese, aye. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR -B.v.W.

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

DECISION

SIDE YARD VARIANCE APPROVED

To: Neal and Jennifer Grennan
76 Autumn Drive
Tappan, New York 10983

ZBA # 07-93
Date: 10 / 3/ 07

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#07-93: Application of Neal and Jennifer Grennan for a variance from Chapter 43, Section 3.12, R-15 District, Group M, Column 9 (Side Yard:20' required, 36' existing,

10' proposed) for the installation of an above-ground pool at a single-family residence. Premises are located at 76 Autumn Drive, Tappan, New York and are identified on the Orangetown Tax Map as Section 77.07, Block 2, Lot 10 ; R-15 zone.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, October 3, 2007 at which time the Board made the determination hereinafter set forth.

Neal and Jennifer Grennan appeared and testified.

The following documents were presented:

1. Copy of survey showing proposed placement of the pool.
2. Two letters in support of the application.
3. Two pictures showing the distance between the houses.

On advice of Mr. Mulhearn, Attorney to the Zoning Board of Appeals, Mr. Mowerson moved for a Board determination that the foregoing application is a Type II action under SEQRA regulations which does not require SEQRA environmental review. The motion was seconded by Mr. Sullivan and carried as follows: Mr. Doherty, aye; Mr. Sullivan, aye; Ms. Albanese, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Neal Grennan testified that they picked the south side of the house for the location of the proposed above-ground pool because the north side has a drastic slope and the rear yard has an existing concrete patio; that they do not want to place the pool closer to the house because of an existing basement window and air conditioning unit; that the pool is proposed on the side of his neighbors two-car garage; that it would not interfere with their living space; that they have owned the house for thirteen years; that they have three young children ages 13, 10 and 5; and that they cannot wait to see if a town pool ever gets approved.

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.

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The requested side yard variance would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar pools have been constructed in the area.
2. The requested side yard variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
3. The benefits sought cannot be achieved by other means feasible for the applicant

other than obtaining a variance.

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.

The foregoing resolution to approve the application for the requested side yard variance was presented and moved by Ms. Albanese, seconded by Mr. Mowerson, and carried as follows: Mr. Sullivan, aye; Mr. Mowerson, aye; Mr. Doherty, aye; and Ms. Albanese, aye. Ms. Castelli 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: October 3, 2007

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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