

**MINUTES
HISTORICAL AREAS BOARD OF REVIEW
December 8, 2020**

MEMBERS PRESENT: Margaret Raso, Chair
Loren Plotkin
William Walther
Scott Wheatley
Larry Bucciarelli
Carol Schelin

ABSENT: Thano Schoppel

ALSO PRESENT: Deborah Arbolino, Administrative Aide
Brittany Cordero, Deputy Town Attorney

Margaret Raso, Chairperson, called the meeting to order at 7:00 p.m. Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

<u>APPLICANTS</u>	<u>DECISION</u>	<u>HABR#</u>
<u>CONTINUED ITEM:</u>		
KATZ 11 Lawrence Lane Palisades, New York 80.06 / 1 / 32' R-40 zone	APPROVED AS SUBMITTED	HABR#20-18

<u>NEW ITEM:</u>		
WYANDANCH 56 Woods Road Palisades, New York 78.18 / 1 / 3.1; R-80 zone	APPROVED AS SUBMITTED	HABR#20-23

NEW BUSINESS:

Bruce Leonard appeared on behalf of The Tappan Fire District seeking board approval for a replacement and color change for certain garage doors located at the Tappan firehouse. Leonard informed the Board that the firehouse was built in 1908 and advised that the Tappan Fire District was seeking to change the garage doors to match other doors on the premises. Chairwoman Margaret Raso received a photograph from The Tappan Fire District, but the other Board members present at the meeting confirmed that they did not receive the photograph or any details with respect to this proposal. Deputy Town Attorney Brittany Cordero instructed The Tappan Fire District to make a formal application and presentation for the Board to consider at the next meeting.

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

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 7:30 P.M.

DATED: December 8, 2020

HISTORICAL AREAS BOARD OF REVIEW

BY: 
Deborah Arbolino, Administrative Aide

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DECISION

GRAVEL DRIVEWAY, CHANGE FROM COPPER ROOF O ASPHALT SHINGLES, GUTTERS AND LEADERS IN PLACE OF RAIN GARDENS, AND POOL FENCE APPROVED AS PRESENTED

TO: Kevin Conway (Katz)
80 Red Schoolhouse Road
Spring Valley, New York 10977

HABR #20-18
October 13, 2020, November 10, 2020
December 8, 2020 Permit #50102

FROM: HISTORICAL AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR#20-18: Application of Julie Katz for an amendment to HABR#16-06 for the following changes: gravel driveway instead of paved, change from a copper roof on the rear of the dwelling to a different material, gutters and leaders instead of the proposed rain gardens /rain terraces and for a pool fence at an existing single-family residence. The premises are located at 11 Lawrence Lane, Palisades, New York. Chapter 12 of the Code of the Town of Orangetown, Section 12-4 (A), Historical Areas Board of Review.

Tax Map Designation: 80.06 / 1 / 32; R-40 zoning district.

Heard by the HISTORICAL AREAS BOARD OF REVIEW at a meeting held on Tuesday, October 13, 2020 at which time the Board made the following determination:

At the October 13, 2020 meeting Kevin Conway and Julie Katz appeared.

The following documents were presented:

1. Architectural plans dated July 15, 2016 with the latest revision date of 7/1/2019 signed and sealed by Frederick Ronald Groen, Architect.
2. Survey dated March 1, 2019 signed and sealed by William D. Youngblood.
3. HABR Decision #16-06 dated July 12, 2016.

Attorney Kevin Conway stated that they are before the Board for a gravel driveway, the change from the copper roof at the back of the kitchen to asphalt shingles that match the house; that they did not put in rain gardens and changed them to gutters and leaders; that the DEC actually prefers gutters and leaders tied into a drainage system over the rain gardens; that they are not asking for a pool fence and asked if the Board would approve of the application with the expectation that they would receive an exception to the requirement of a pool fence; that Attorney Conway stated that he was awaiting a response from Mike Bettmann in asking the Fire District Chiefs to override the building inspector's interpretation because this pool has been used to put out fires in the area since there are no hydrants close by; that Attorney Conway advised that they did not have a proposal for the pool fence at that time and with hoping to have this resolved by the Fire District, advised that they will agree to a continuance rather than pay new fees.

Julie Katz stated that she sent pictures to the clerks e mail for the Board to see; that she did not realize that the clerk would not be in the office; that every time the building inspector has come out to the house for an inspection he adds something else on; that the pool was not part of the scope of work done on the building permit, yet Glenn Maier insisted that the doors have alarms and the pool be alarmed and now he wants an additional fence; that she and her neighbor share a pool fence and now that fence is not good enough; that she will provide a playpen fence directly around the pool if she has to but that should be enough; and if she must come back in November she will.

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Deputy Town Attorney advised Attorney Conway that, regardless of what his expectations are with the Fire District, that the pool fence is part of the Katz application, and in order for the Board to make a determination on this application, the proposal of a pool fence must be provided to the Board for review. The Board members explained that they could not approve a fence that they have not seen and the fence was part of the application.

PUBLIC COMMENT:

No public comment.

At the November 10, 2020 meeting Julie Katz and Steve Stoley, contractor, appeared.

Items presented to the Board:

1. An e-mail dated October 26, 2020 with nine color photos of several different fences attached.
2. A computer drawing labeled "Contract10 Katz post stockage.pdf" not dated; with four more pictures of black fences either aluminum or wrought iron.

Margaret Raso, Chairperson for the Board stated that she spoke to the local fire departments and that a 60 year member and a 46 year member told her that the Katz pool was never used to help put out any fires in that area; that there is a fire hydrant diagonal from the house and that they would lay the hose and put out fires; that the reason for the continuance was the proposal for the pool fence was not provided at the last meeting and this time there are too many fences provided and no plan showing where they would be installed; and she asked the applicant to request a continuance and return with a clear plan showing what fence and gate would be installed in each area; and asked that the fences and gates meet all the required codes.

Julie Katz stated that she was not advised that what she submitted was not good and if she knew that she would have submitted more information for the Board; that Contractor Steve Stoley stated that he did not have the details of where the fence would be installed and asked what would be required in order to have this application approved; that Katz agreed to ask for a continuance to provide the requested details to the Board for review.

At the December 8, 2020 meeting Julie Katz and Steve Stoley, contractor, appeared.

Items presented to the Board:

1. Eleven page package including the layout of the proposed fences and gates with attached pictures of the fences and gates and the NYS Pool Fence Code.

Margaret Raso, Chairperson, stated that she is very pleased with the presentation of the fence that has been submitted and asked the Board if anyone had comments or questions. There were none.

Julie Katz thanked the Board.

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FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), found as fact, that: The application as presented, would not adversely affect the Historical Areas and the surrounding area. The design and materials for the proposed rear roof, gravel driveway, gutters and leaders instead of rain gardens and the pool fence:

1. The application for the change in rear roofing materials from copper roof to asphalt shingles.
2. The gutters and leaders are approved in place of the proposed rain gardens.
3. The driveway shall remain gravel and the applicant may add a decorative apron if she desires. The applicant has received a variance for the gravel driveway.
4. The pool fence in front of the existing stockade fence shall be stockade fence and attached to the stockade fence shall be pressure treated 1 x 6 with lengths varying from 6 to 10 feet because of stones on the property 13" between each board with three boards for a 4' fence with 4 x 4 posts with black 1 x 1 wire installed on the outside of the boards. The gates shall be constructed in kind with a cross board and self-closing hinges with magnalatch alert series 3 top pull magnetic locking latch. All wood for the fence will be painted black.

THIS APPROVAL/DECISION, INCLUDING THE BOARD'S REQUIRED MODIFICATIONS TO THE APPLICANT'S DRAWINGS AND /OR PLANS, OR CONDITIONS SET FORTH HEREIN, IF ANY, IS GRANTED BY THE HISTORICAL AREAS BOARD OF REVIEW SUBJECT TO ANY SUCH CONDITIONS AND/OR

MODIFICATIONS, AND IS LIMITED TO THE SPECIFIC RELIEF REQUESTED HEREIN.

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

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

- ROOFING SHINGLES (IF CHANGING COLOR)
- SIDING
- DECORATIVE SIDING
- SOFFITS & FASCIA
- GUTTERS AND LEADERS
- WINDOWS

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

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

DECISION: In view of the foregoing, and after personal observation of the property, hearing all the testimony before the Board, and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), the application for gravel driveway, cedar shingles instead of copper rear roof; installation of gutters and leaders in place of rain gardens; and the pool fence is APPROVED AS SUBMITTED.

The foregoing resolution to approve the gravel driveway, cedar shingles in place of the copper roof that was proposed for the rear of the house; installation of gutters and leaders in place of rain gardens; and the pool fence for Julie Katz for property located at 11 Lawrence Lane, Palisades. HABR#20-18, as submitted; was presented and moved by William Walther, seconded by Loren Plotkin; and carried as follows: Carol Schelin, aye; William Walther, aye; Margaret Raso, aye; Scott Wheatley, aye; Carol Schelin, aye; and Loren Plotkin, aye. Larry Bucciarelli abstained. Thano Schoppel 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 8, 2020

HISTORICAL AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY: 
Deborah Arbolino, Administrative Aide

DISTRIBUTION:

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

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

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TOWN CLERK'S OFFICE

DECISION
EMERGENCY GENERATOR APPROVED AS PRESENTED

TO: Simon Bergson
68 Woods Road
Palisades, New York 10964

HABR #20-23
December 8, 2020
Permit #50771

FROM: HISTORICAL AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR#20-23: Application of Wyandanch Realty for review of a new emergency generator at an existing single-family residence. The premises are located at 56 Woods Road, Palisades, New York. Chapter 12 of the Code of the Town of Orangetown, Section 12-4 (A), Historical Areas Board of Review.

Tax Map Designation: 78.18 / 1 / 3.1; R-80 zoning district.

Heard by the HISTORICAL AREAS BOARD OF REVIEW at a meeting held on Tuesday, December 8, 2020 at which time the Board made the following determination:

Simon Bergson and Brianne Gluckstern appeared.

The following documents were presented:

1. Site plan showing where the generator will be installed.
2. Four color pictures of the generator.

Simon Bergson stated that his daughter and her family will be living in the house until her house is complete; that they need the back-up generator because high winds knock the power out in the area quite often and they have a baby; that they are going to screen the generator with Ninebark which will grow 5 to 8 feet high and spread 4 to 6 feet and that it is native to the area.

PUBLIC COMMENT:

No public comment.

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FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), found as fact, that: The application as presented, would not adversely affect the Historical Areas and the surrounding area. The design and materials for the proposed emergency generator:

1. The application for the 24 Kw Generac emergency generator with ninebark bush as a cover.

THIS APPROVAL/DECISION, INCLUDING THE BOARD'S REQUIRED MODIFICATIONS TO THE APPLICANT'S DRAWINGS AND /OR PLANS, OR CONDITIONS SET FORTH HEREIN, IF ANY, IS GRANTED BY THE HISTORICAL AREAS BOARD OF REVIEW SUBJECT TO ANY SUCH CONDITIONS AND/OR

MODIFICATIONS, AND IS LIMITED TO THE SPECIFIC RELIEF REQUESTED HEREIN.

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

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

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DECISION: In view of the foregoing, and after personal observation of the property, hearing all the testimony before the Board, and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), the application for Generac 24 Kw emergency generator is APPROVED AS SUBMITTED.

The foregoing resolution to approve the 24 Kw Generac Emergency Generator for Wyandanch Realty for property located at 56 Woods Road, Palisades, HABR#20-23, as submitted; was presented and moved by Larry Bucciarelli seconded by Loren Plotkin; and carried as follows: William Walther, aye; Larry Bucciarelli, aye; Margaret Raso, aye; Scott Wheatley, aye; Carol Schelin, aye; and Loren Plotkin, aye. Thano Schoppel 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 8, 2020

HISTORICAL AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY: 
Deborah Arbolino, Administrative Aide

DISTRIBUTION:

APPLICANT
TOWN BOARD MEMBERS
HABR MEMBERS
SUPERVISOR
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
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HABR, PB, FILE
PB, ZBA, ACABOR CHAIRMAN

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**TOWN OF ORANGETOWN
HISTORIC AREAS BOARD OF REVIEW**

NOTICE IS HEREBY GIVEN, due to the Novel Coronavirus (COVID-19) Emergency, State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings law, that the Historical Areas Board of Review of the Town of Orangetown meeting and public hearing on the 8th day of December 2020 beginning at 7:00 P.M. will be held electronically via teleconference instead of a public meeting open to the public to attend in person.

The application and documentation can be viewed at:

<https://www.orangetown.com/document/katz-habr-package-80-06-1-32/>

<https://www.orangetown.com/document/wyandanch-realty-habr-package-78-18-1-3-1/>

Members of the public may call in to listen to the meeting, and provide comment.

BEFORE THE MEETING:

- If you have a computer, tablet or smartphone, you can register, login and see the video and audio of the live session. You can access the videoconference meeting by downloading the "GoToMeeting" application: Download the app now and be ready when your meeting starts:
<https://global.gotomeeting.com/install/925440117>
- You will then click on Join Meeting and enter meeting room:
<https://global.gotomeeting.com/join/925440117>
- If you have a telephone, members of the public may call in to listen to the meeting, and provide comment, by dialing (toll free): 1-866-899-4679 OR by dialing 1-646-749-3117 and entering passcode #925-440-117.

INSTRUCTIONS TO ENTER THE VIRTUAL MEETING:

On the evening of Tuesday, December 8, 2020 approximately 5 minutes before 7:00 p.m., log in with your computer or call in with your telephone. You will be placed on hold until the meeting starts.

COMMENTS DURING THE PUBLIC HEARING: During the meeting, comments may be (1) made by speaking or chat through the GoToMeetings teleconference of the meeting; (2) Comments may be emailed in ADVANCE (by noon day of meeting) to the Clerk to the Board by email to : darbolino@orangetown.com

CONTINUED ITEM:

HABR#20-18: Application of Julie Katz for an amendment to HABR#16-06 for the following changes: gravel driveway instead of paved, change from a copper roof on the rear of the dwelling to a different material, gutters and leaders instead of the proposed rain gardens /rain terraces and for a pool fence at an existing single-family residence. The premises are located at 11 Lawrence Lane, Palisades, New York. Chapter 12 of the Code of the Town of Orangetown, Section 12-4 (A), Historical Areas Board of Review.

Tax Map Designation: 80.06 / 1 / 32; R-40 zoning district.

NEW ITEM:

HABR#20-23: Application of Wyandanch Realty for review of a new emergency generator at an existing single-family residence. The premises are located at 56 Woods Road, Palisades, New York. Chapter 12 of the Code of the Town of Orangetown, Section 12-4 (A), Historical Areas Board of Review.

Tax Map Designation: 78.18 / 1 / 3.1; R-80 zoning district.