

MINUTES  
ZONING BOARD OF APPEALS  
May 19, 2021

MEMBERS PRESENT: DAN SULLIVAN, CHAIRMAN  
PATRICIA CASTELLI,  
MICHAEL BOSCO  
.BILLY VALENTINE  
THOMAS QUINN

ABSENT: THOMAS QUINN  
ROB BONOMOLO, JR

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

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

LITTEE  
7 Kingswood Drive  
Orangeburg, New York  
74.12 / 1 / 7; R-40 zone

REAR YARD VARIANCE  
APPROVED

ZBA#21-42

ORANGETOWN COMMERCE  
SIGN EXTENSION OF TIME  
5 Greenbush Road  
Orangeburg, New York  
74.15 / 1 / 2; LI zone

EXTENSION OF  
TIME GRANTED  
FOR TWO YEARS

ZBA#21-43

ORANGETOWN COMMERCE  
HEIGHT EXTENSION OF TIME  
5 Greenbush Road  
Orangeburg, New York  
74.15 / 1 / 2; LI zone

EXTENSION OF  
TIME GRANTED  
FOR TWO YEARS

ZBA#21-44

HEFFERMAN  
53 Moison Road  
Blauvelt, New York  
70.14 / 3 / 47; R-15 zone

SIDE YARD & TOTAL  
SIDE YARD VARIANCES  
APPROVED

ZBA#21-45

STOCHANSKY  
10 Sterling Place  
Blauvelt, New York  
70.10 / 1 / 64; R-15 zone

FLOOR AREA RATIO,  
FRONT YARD & REAR YARD  
VARIANCES APPROVED

ZBA#21-46

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PEKERA  
154 Liberty Road  
Tappan, New York  
77.05 / 3 / 59; R-15 zone

FRONT YARD FENCE HEIGHT, ZBA#21-47  
FRONT YARD AND REAR YARD  
VARIANCES AND SECTION 5.227 ACCESSORY  
STRUCTURE LOCATION VARIANCES  
APPROVED

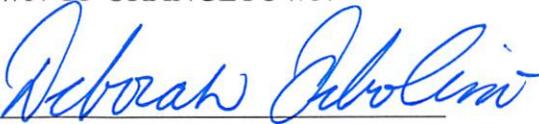
THE DECISIONS RELATED TO THE ABOVE HEARINGS are inserted herein and made part of these minutes.

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 8:30 P.M.

Dated: May 19, 2021

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

TOWN OF ORANGETOWN  
2021 MAY 25 P 1:20  
TOWN CLERK'S OFFICE

**REAR YARD VARIANCE APPROVED**

To: Ludovic Littee  
7 Kingswood Drive  
Orangeburg, New York 10962

ZBA #21-42  
Date: May 19, 2021  
Permit #51122

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#21-42: Application of Ludovic Littee for variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-40 District, Group E, Section 3.12, Column 11 (Rear Yard: 50' required, 5' 8" & 22' 6" existing) for two existing sheds at an existing single-family residence. The property is located at 7 Kingswood Drive, Orangeburg, New York and is identified on the Orangetown Tax Map as Section 74.12, Block 1, Lot 7 in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 19, 2021 at which time the Board made the determination hereinafter set forth.

Ludovic Littee appeared and testified.

The following documents were presented:

1. Survey showing location of the two sheds.

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) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Sullivan, aye; Mr. Bonomolo, aye; and Ms. Castelli, aye; Mr. Quinn, aye, and Mr. Valentine, aye.

Ludovic Littee testified that he purchased the house from Mrs. Chmura and she was going to legalize the two existing sheds as part of the agreement of sale; that she had gotten sick and moved and he told her that he would try to take care of it; that he would like to keep the sheds for storage and they do not interfere with any other properties.

Public Comment:

No public comment.

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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 rear yard variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The two sheds have existed for some time without incident and the property adjacent to the sheds is wooded.
2. The requested rear yard variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The two sheds have existed for some time without incident and the property adjacent to the sheds is wooded.
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 rear yard variance is not substantial, and affords 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 two sheds have existed for some time without incident and the property adjacent to the sheds is wooded.
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 variance.

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

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The foregoing resolution to approve the application for the requested rear yard variance is APPROVED; was presented and moved by Mr. Bosco, seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Quinn, aye.

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: May 19, 2021

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

TOWN OF ORANGETOWN  
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**EXTENSION OF TIME GRANTED FOR TWO YEARS FROM THE DATE OF THIS STAMPED DECISION**

To: Geraldine Tortorella (Orangetown Commerce sign)  
One North Broadway Suite 701  
White Plains, New York 10601

ZBA #21-43  
Date: May 19, 2021  
Permit #45232

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#21-43: Application of Orangetown Commerce Center for an extension of time to implement variances that were granted in ZBA #16-62 and extended once in ZBA # 18-06 and again in ZBA#20-10: variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, LI District, Section 3.11, Column 5 #7 (Total Sign Area: 60 sq. ft.: illuminated area of sign: 30 sq. ft. permitted: 240 sq. ft. proposed) ) and #8 c ( sign setback: 30' required 6' 10" and 3' proposed) for two (2) internally lite freestanding signs) at a new commerce center. The premises are located at 5 Greenbush Road, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.15, Block 1, Lot 2; in the LI zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 19, 2021 at which time the Board made the determination hereinafter set forth.

Geraldine Tortorella, Esq., appeared and testified.

The following documents were presented:

1. Survey of Property for BF Orangetown LLC last revised 3/27/2017 signed and sealed by Jay A. Greenwell, PLS.
2. Plans labeled "Orangetown Commerce Center Layout Plan last revised 01/03/2019 signed and sealed by Leonard Jackson , P.E.
3. Drawing of the proposed sign by Allied Signage last revised 05/25/2016.
4. ZBA Decision #20-10 dated February 5, 2020.
5. Short Environmental Assessment Form
6. Deed.
7. Cover letter dated March 30, 2021 from Geraldine N. Tortorella. Esq.
8. A letter dated April 22, 2021 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
9. A no comment response from Dyan Rajasingham Rockland County Highway Department.

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 seeks area or bulk variances for construction or expansion of a primary, or accessory or appurtenant , non -residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls; this application is exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9); which does not require SEQRA environmental review

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The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Mr. Bonomolo, aye; and Mr. Bosco, aye.

Geraldine Tortorella, Esq., testified that property is located on the cul-de-sac behind Stop & Shop and Lowes and abuts Highview Avenue; that the warehouse self-storage was approved with 14 spaces for tenants that they could have chosen to have individual signs for each tenant on the buildings but opted for two entrance signs with the tenants listed; that the sign at the entrance of Stevens Way and Greenbush Road would be set back 3' and be double sided; that the other signs on the cul-de-sac would be one sided; that sign plans have not changed since the original approval.

Public Comment:

Vanessa Lapins, 659 Western Highway, Blauvelt, testified that she is representing CUPON, that these proposed large warehouses are changing the character of neighbors with truck traffic; that ALUF destroyed that neighborhood; that there is another huge warehouse proposed for 254 Route 303 and they would like to request a moratorium on high volume warehouses.

Dennis Michaels, Deputy Town Attorney, stated that the Town Board is the only Board that could impose a moratorium.

Mike Bosco stated that this application was previously approved and is only seeking an extension of time to implement the approved plans.

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. No significant change in circumstances has occurred since the prior approved variances were granted in ZBA #16-62 and reaffirmed (with an extension granted) in ZBA# 18-06 and ZBA#20-10 that would warrant Board reconsideration of its approval.
2. Applicants stated that they are waiting to start the clean-up of the site until they have tenants to occupy the space because once the cleanup begins it must be finished and to be economically sound they need to have prospective tenants.

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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#20-10, ZBA #18-08, ZBA#16-62 for sign size, Illumination, and location variances are APPROVED for TWO YEARS FROM THE DATE OF THIS STAMPED DECISION; 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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Orangetown Commerce Center signs extension of time  
ZBA#21-43 Permit #45232  
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The foregoing resolution to approve the application for the requested extension of time to implement the variances granted in ZBA#20-10, ZBA #18-08, ZBA#16-62 for sign size, Illumination, and location variances are APPROVED for Two Years from the date of this stamped decision; was presented and moved by Mr. Sullivan, seconded by Mr Quinn and carried as follows: Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Quinn, aye.

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: May 19, 2021

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

TOWN OF ORANGETOWN  
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**EXTENSION OF TIME GRANTED FOR TWO YEARS FROM THE DATE OF THIS STAMPED DECISION**

To: Geraldine Tortorella (Orangetown Commerce Center sign)  
One North Broadway Suite 701  
White Plains, New York 10601

hjk  
DN

ZBA #21-44  
Date: May 19, 2021  
Permit #45127

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#21-44: Application of Orangetown Commerce Center for an extension of time to implement variances that were granted in ZBA#16-63 and extended once in ZBA#18-07 and again in ZBA# 20-11: variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, LI District, Section 3.12, Column 12 (Building Height: 25' permitted, 30' proposed to roof, 32 ½' proposed to parapet) for a new commerce center. The premises are located at 5 Greenbush Road, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.15, Block 1, Lot 2; in the LI zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 19, 2021 at which time the Board made the determination hereinafter set forth.

Geraldine Tortorella, Esq., appeared and testified.

The following documents were presented:

1. Plans labeled "Orangetown Commerce Center Layout Plan last revised 01/03/2019 signed and sealed by Leonard Jackson , P.E.
2. Plans prepared by Langan Engineering dated March 4, 2016 last revised September 16, 2016 , 5A,5B, 5C, 5D, 5E, & 5F
3. ZBA Decision #20-11 dated February 5, 2020.
4. Short Environmental Assessment Form
5. Deed.
6. Cover letter dated March 30, 2021 from Geraldine N. Tortorella. Esq.
7. A letter dated April 22, 2021 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
8. A no comment response from Dyan Rajasingham Rockland County Highway Department.

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 seeks area or bulk variances for construction or expansion of a primary, or accessory or appurtenant , non – residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls; this application is exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9); which does not require SEQRA environmental review and since the Planning Board noticed its intent to declare itself lead agency and distributed the notice of intension to all Involved Agencies, including the ZBA who consented or did not object to the Planning Board actin as Lead Agency for the overall project underlying these ZBA applications, pursuant to coordinated review under State Environmental Quality Review Act Regulation §617.6 (b)93) ; and since the Planning Board conducted a SEQRA review and, on May 11, 2016,

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rendered an environmental determination of no significant adverse environmental impacts to result from the proposed land use action (i.e., a “Negative Declaration” or “Neg Dec”<sup>0</sup>, the ZBA is bound by the Planning Board’s Neg Dec and the ZBA cannot require further SEQRA review pursuant to SESEQRA Regulation § 617.6 (b) (3). The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Bonomolo, aye; Mr. Bosco, aye; and Mr. Valentine, aye.

Geraldine Tortorella, Esq., testified that the applications have many moving parts and the reason they are asking for another extension of time is because they were delayed with COVID, that they are hoping to have tenants for the spaces prior to the start of the cleanup because once the cleanup is started it must be completed and financially it makes sense to have tenants lined up for the spaces; that the height is necessary for the warehouse self- storage space and will not be intrusive for the residences across Western Highway because of the extensive planting plan and the railroad crossing and that she would appreciate a longer extension of time than just one year if the Board could.

Public Comment:

Vanessa Lapins, 659 Western Highway, Blauvelt, testified that she is representing CUPON, that these proposed large warehouses are changing the character of neighbors with truck traffic; that ALUF destroyed that neighborhood; that there is another huge warehouse proposed for 254 Route 303 and they would like to request a moratorium on high volume warehouses.

Dennis Michaels stated that the Town Board is the only Board that could impose a moratorium.

Mike Bosco stated that this application was previously approved and is only seeking an extension of time to implement the approved plans.

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.

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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. No significant change in circumstances has occurred since the prior approved variances were granted in ZBA #16-63 and reaffirmed (with an extension granted) in ZBA# 18-07 and ZBA#20-11 that would warrant Board reconsideration of its approval.
2. Applicants stated that they are waiting to start the clean-up of the site until they have tenants to occupy the space because once the cleanup begins it must be finished and to be economically sound they need to have prospective tenants.

**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#20-11, ZBA #18-07, ZBA#16-63 for height variances are **APPROVED** for TWO YEARS FROM THE DATE OF THIS STAMPED DECISION; 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.

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(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 extension of time to implement the variances granted in ZBA#20-11, ZBA #18-07, ZBA#16-63 for building height variances are APPROVED for Two Years from the date of this stamped decision; was presented and moved by Mr. Sullivan, seconded by Mr. Quinn and carried as follows: Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Quinn, aye.

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: May 19, 2021

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

TOWN CLERK'S OFFICE  
2021 MAY 25 P 1:21  
TOWN OF ORANGETOWN

**SIDE YARD AND TOTAL SIDE YARD VARIANCES APPROVED**

To: William Bosley  
10 Sugarhill Road  
Nyack, New York 10960

ZBA #21-45  
Date: May 19, 2021  
Permit #51197

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#21-45: Application of Brian Heffernan for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 3.12, Columns 9 ( Side Yard: 20’ required, 16.2’ proposed) and 10 (Total Side Yard: 50’ required, 44.8’ proposed) for an addition to an existing single-family house. The premises are located at 53 Moison Road, Blauvelt, New York and is identified on the Orangetown Tax Map as Section 70.14 Block 3, Lot 47 in the R-15 zoning district

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 19, 2021 at which time the Board made the determination hereinafter set forth.

Brian Heffernan and Bill Bosley, Contractor, appeared and testified.

The following documents were presented:

1. Plans labeled “Heffernan Residence One-Story Addition” dated January 15, 2020 with the latest revision date of 02/23/21 signed and sealed by Harold J. Goldstein, Architect. (2 pages).
2. Survey dated December 30, 2020 with the latest revision date of February 15, 2021 signed and sealed by Robert E. Sorace, PLS.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Mr. Quinn 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) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Sullivan, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Quinn, aye and Mr. Valentine, aye.

Brian Heffernan testified that his wife have owned the house for 27 years; that she has a disability that makes using the second story of the house difficult; that they are proposing to add a bedroom, bathroom and laundry room to the first floor of the house to make the flow of the house more accessible; that they have tried three or four plans before finding that his one has the best flow; and that he would really start the addition soon because his wife fell two weeks ago and broke her arm.

Public Comment:

No public comment.

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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 and total side yard variances 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 neighborhood.
2. The requested side yard and total side yard variances 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 neighborhood.
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 side yard and total side yard variances although somewhat substantial, and affords 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 Board acknowledged the undersized lot and noted that similar additions have been constructed in the neighborhood.
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 variance.

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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 and total side 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.

TOWN OF ORANGETOWN  
2021 MAY 25 P 1:21  
TOWN CLERK'S OFFICE

The foregoing resolution to approve the application for the requested side yard and total side yard variances are APPROVED; was presented and moved by Mr. Quinn, seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Quinn, aye.

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: May 19, 2021

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

TOWN OF ORANGETOWN  
2021 MAY 25 P 1:21  
TOWN CLERK'S OFFICE

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

To: Shannon Stochansky  
10 Sterling Place  
Blauvelt, New York 10913

ZBA #21-46  
Date: May 19, 2021  
Permit #51274

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#21-46: Application of Shannon Stochansky for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 3.12, Columns 4 (Floor Area Ratio: .20 permitted, .237 proposed) 8 (Front Yard: 30’ required, 25’ proposed) and 11 (Rear Yard: 35’ required, 33.8’ proposed) for addition to an existing single-family residence. The property is located at 10 Sterling Place, Blauvelt, New York and is identified on the Orangetown Tax Map as Section 70.10, Block 1, Lot 64 in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 19, 2021 at which time the Board made the determination hereinafter set forth.

Shannon Stochansky appeared and testified.

The following documents were presented:

1. Plans labeled “Stochansky Residence Two-Story Addition” dated December 29, 2020 signed and sealed by Harold J. Goldstein, Architect. (2 pages).
2. Survey dated 12/13/1982 by Adler & Young.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Mr. Bosco 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) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Sullivan, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Quinn, aye and Mr. Valentine, aye.

Shannon Stochansky testified that they purchased the house in September and have no moved in yet; that they are making changes to the house to accommodate the blended family; that her Mom would be on the first floor with a bedroom, bathroom and living area and small portico with entry closets and the rest of the family will be using the rest of the space; that her mom will have an area with a countertop, sink and refrigerator but all the cooking will be done upstairs; that she is the cook and there are five people in the family.

Public Comment:

No public comment.

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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, front yard and rear yard variances 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 neighborhood.
2. The requested floor area ratio, front yard and rear yard variances 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 neighborhood.
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, front yard and rear yard variances although somewhat substantial, and affords 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 neighborhood.
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 variance.

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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, front yard and rear yard variances 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  
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TOWN CLERK'S OFFICE

The foregoing resolution to approve the application for the requested floor area ratio, front yard and rear yard variances are APPROVED; was presented and moved by Ms. Castelli, seconded by Mr. Bosco and carried as follows: . Mr. Quinn, aye Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; and Ms. Castelli, aye.

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: May 19, 2021

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  
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BUILDING INSPECTOR-G.M.

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

TOWN OF ORANGETOWN  
2021 MAY 25 P 1: 22  
TOWN CLERK'S OFFICE

**FRONT YARD FENCE HEIGHT, FRONT YARD, REAR YARD AND SECTION 5.227  
ACCESSORY STRUCTURE SET BACK VARIANCES APPROVED: BOARD  
DETERMINED THAT THE PERGOLA IS ATTACHED TO THE HOUSE THAT IS  
ATTACHED TO THE DECK**

To: Gregory Pekera  
154 Liberty Road  
Tappan, New York 10983

ZBA #21-47  
Date: May 19, 2021  
Permit #51317

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#21-47: Application of Gregory Pekera for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 3.12, Columns 8 (Front Yard: 30' required, 25.2' existing for deck), 11 (Rear Yard: 35' required, 28.8' existing) and from Section 5.227 (Accessory Structures allowed in rear and side yards: **front yard existing; 2.1' existing:** Board determined this to be a side yard) Section 5.226 (Front Yard Fence Height: 4 ½' permitted, 6' existing)) for decks, fence, and existing shed at an existing single-family house. The premises are located at 154 Liberty Road, Tappan, New York and is identified on the Orangetown Tax Map as Section 77.05 Block 3, Lot 59 in the R-15 zoning district

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 19, 2021 at which time the Board made the determination hereinafter set forth.

Gregory Pekera and Rocco Orlando appeared and testified.

The following documents were presented:

1. Survey dated October 15, 2002 with the deck and shed drawn on it.
2. Deck drawing.
3. Twelve pages of color pictures of the property showing various views of the property, the shed, pergola, play-ground deck, driveway deck and fence submitted at the hearing by the applicant.
4. A petition in support of the application signed by 18 neighbors with three additional letters of support.
5. Shed specs (3 pages).
6. Certificate of compliance for electric work.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Mr. Bosco 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) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Sullivan, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Quinn, aye; and Mr. Valentine, aye.

TOWN CLERK'S OFFICE  
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Gregory Pekera testified that he has lived in the house for fourteen years; that he is in the process of selling the house and found out that the property has several violations and he is before the Board to clear them up; that in 2007 he built a 10' x 12' shed that he found out is too close to the property line; that he also found out that the existing deck is too close to the front yard and that the property has three front yards; that the pool was there when he purchased the house and it has a certificate of occupancy; that the hot tub on the deck was not permitted and needs to be certified that the deck can hold it and the fence is six foot high and needs a variance for being in the front yard; and that the deck in the labeled rear yard should be 35' from the property line and it is 28.8' from the property line.

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 Mr. Bosco 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 front yard fence height, front yard, rear yard and Section 5.227 accessory structure set-back variances 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. The lot has two front yards, and the Board determined that the south side of the yard closet to Tea Place where the pool was installed is a side yard and the north side of the house is a rear yard, therefore the existing shed requires a 2.1 accessory structure location from the side yard not the front yard. The pergola is attached to the deck which is attached to the house so it does not require a variance.
2. The requested front yard fence height, front yard, rear yard and Section 5.227 accessory structure set-back variances 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 neighborhood. The lot has two front yards, and the Board determined that the south side of the yard closet to Tea Place where the pool was installed is a side yard and the north side of the house is a rear yard, therefore the existing shed requires a 2.1 accessory structure location from the side yard not the front yard. The pergola is attached to the deck which is attached to the house so it does not require a variance.

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TOWN CLERK'S OFFICE

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 front yard fence height, front yard, rear yard and Section 5.227 accessory structure set-back variances although somewhat substantial, and affords 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 Board acknowledged the undersized lot and noted that similar additions have been constructed in the neighborhood. The lot has two front yards, and the Board determined that the south side of the yard closet to Tea Place where the pool was installed is a side yard and the north side of the house is a rear yard, therefore the existing shed requires a 2.1 accessory structure location from the side yard not the front yard. The pergola is attached to the deck which is attached to the house so it does not require a variance.
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 variance.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested front yard fence height, front yard, rear yard and Section 5.227 accessory structure set-back variances are APPROVED as amended; 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.

TOWN OF ORANGETOWN  
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(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 fence height, front yard, rear yard and Section 5.227 accessory structure set-back variances are APPROVED; was presented and moved by Mr. Bonomolo, seconded by Mr. Bosco and carried as follows: . Mr. Quinn, aye; Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; and Ms. Castelli, aye.

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: May 19, 2021

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

APPLICANT  
ZBA MEMBERS  
SUPERVISOR  
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CHAIRMAN, ZBA, PB, ACABOR

TOWN CLERK'S OFFICE  
2021 MAY 25 P 1:22  
TOWN OF ORANGETOWN