

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

Please check all that apply:

<input type="checkbox"/> Commercial <input type="checkbox"/> Planning Board <input checked="" type="checkbox"/> Zoning Board of Appeals <input type="checkbox"/> Subdivision <input type="checkbox"/> Number of Lots <input type="checkbox"/> Site Plan <input type="checkbox"/> Conditional Use <input type="checkbox"/> Special Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Performance Standards Review <input type="checkbox"/> Use Variance <input type="checkbox"/> Other (specify): _____	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Historical Board <input type="checkbox"/> Architectural Board <input type="checkbox"/> Consultation <input type="checkbox"/> Pre-Preliminary/Sketch <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final <input type="checkbox"/> Interpretation
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PERMIT#: 51278
 ASSIGNED _____
 INSPECTOR: GM
 Referred from Planning Board: YES / NO NO
 If yes provide date of Planning Board meeting: _____

Project Name: Existing Residential Low-level Deck

Street Address: 160 South Main Street, Pearl River, NY

Tax Map Designation:
 Section: 72.08 Block: 1 Lot(s): 29
 Section: _____ Block: _____ Lot(s): _____

Directional Location:
 On the West side of South Main Street, approximately
N/A feet at the SW corner of the intersection of South Main Street and Cardell Ave., in the
 Town of ORANGETOWN in the hamlet/village of Pearl River.

Acreage of Parcel <u>0.13</u> School District <u>PR</u> Ambulance District <u>PR</u> Water District <u>Sh22</u>	Zoning District <u>RG</u> Postal District <u>PR</u> Fire District <u>PR</u> Sewer District <u>Orangetown</u>
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Project Description: *(If additional space required, please attach a narrative summary.)*
 Applying for a building permit/zoning variance for an existing deck built circa 1989 to obtain a certificate of Occupancy.
 Property is in contract for sale, violation was not discovered until April 2, 2021, although property was purchased in 2005,
 and refinanced in 2009. Existing minimum side yard = 4.7' vs. 10', total side yard 15' vs 30'.

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
 Date: 5/13/2021 Applicant's Signature: _____

APPLICATION REVIEW FORM

Applicant: James V. Green Phone # (845) 629-3760

Address: 99 Briar Road Nanuet NY 10954
Street Name & Number (Post Office) City State Zip Code

Property Owner: Same as Above Phone # _____

Address: _____
Street Name & Number (Post Office) City State Zip Code

Engineer/Architect/Surveyor: Same as Above Phone # _____

Address: _____
Street Name & Number (Post Office) City State Zip Code

Attorney: Joy Diviny Phone # _____

Address: _____
Street Name & Number (Post Office) City State Zip Code

Contact Person: James Green Phone # (845) 629-3760

Address: 99 Briar Road Nanuet NY 10954
Street Name & Number (Post Office) City State Zip Code

GENERAL MUNICIPAL LAW REVIEW:

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- | | |
|-----------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path | <input type="checkbox"/> County Stream |
| <input type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) of facility checked above:

Referral Agencies:

- | | |
|------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> RC Highway Department | <input type="checkbox"/> RC Division of Environmental Resources |
| <input type="checkbox"/> RC Drainage Agency | <input type="checkbox"/> RC Dept. of Health |
| <input type="checkbox"/> NYS Dept. of Transportation | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority | <input type="checkbox"/> Palisades Interstate Park Commission |
| <input type="checkbox"/> Adjacent Municipality _____ | |
| <input type="checkbox"/> Other _____ | |

APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE.

(IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

If **special permit**, list special permit use and what the property will be used for.

Environmental Constraints:

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area _____

Are there **streams** on the site? If yes, please provide the names. _____

Are there **wetlands** on the site? If yes, please provide the names and type:

Project History:

Has this project ever been reviewed before? _____

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.



OFFICE OF BUILDING, ZONING, PLANNING,
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN

20 Greenbush Road
Orangeburg, N.Y. 10962

Jane Slavin, R.A.
Director

(845)359-8410

Fax: (845) 359-8526

DENIAL TO THE ZONING BOARD OF APPEALS

Date: April 2, 2021
Applicant: Green
Address: 160 S Main
RE: Application Made at: same

Chapter 43, Table 3.12, Column 1 RG District, Column 2 Group Q, Column 3 SFR, Column 8 Required Front Yard 25' w/ 10.3' proposed, Column 9 Required Side Yard 10' w/ 5.4' proposed.
Existing Non-Conforming (ENC) Front Yard
Two variances required

Section: 72.08 Block: 1 Lot: 29

Dear Green:

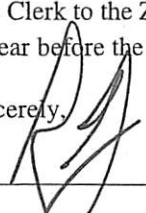
Please be advised that the Building Permit Application, which you submitted on

March 26, 2021, has been denied. I have enclosed a Xerox copy of your application, where you will find at the bottom the reason for denial.

In Accordance with Zoning, Chapter 43 Section 10.322 the time to appeal a determination of a Building Inspector or Similar administrative office is thirty (30) days from the filing of such a determination with the Town Clerk.

The Clerk to the Zoning Board of Appeals, Debbie Arbolino, will assist you in the preparation necessary to appear before the board.

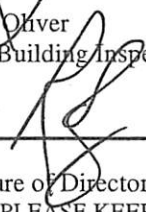
Sincerely,


Richard Oliver
Deputy Building Inspector

6.9.21

Signature of Director
NOTE: PLEASE KEEP FOR YOUR RECORDS
12-31-18-CCC

Date
CC: Rosanna Sfraga
Liz Decort
Debbie Arbolino


6.9.21



OFFICE OF BUILDING, ZONING, PLANNING,
ADMINISTRATION AND ENFORCEMENT
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20 Greenbush Road
Orangeburg, N.Y. 10962

Jane Slavin, R.A.
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Fax: (845) 359-8526

DENIAL TO THE ZONING BOARD OF APPEALS

Date: April 2, 2021

Applicant: Green

Address: 160 S Main

RE: Application Made at: same

Chapter 43, Table 3.12, Column 1 RG District, Column 2 Group Q, Column 3 SFR, Column 9 Required Side Yard 10' w/ 5.25' proposed. Column 10 Total Side Yd 30' with 19.05 proposed.
Two variances required

Section: 72.08 Block: 1 Lot: 29

Dear Green:

Please be advised that the Building Permit Application, which you submitted on

March 26, 2021, has been denied. I have enclosed a Xerox copy of your application, where you will find at the bottom the reason for denial.

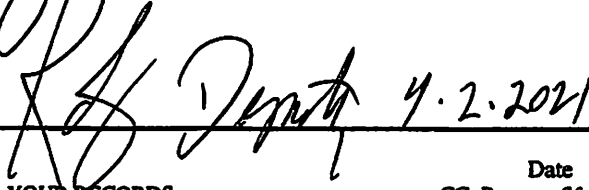
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Sincerely,


Richard Oliver
Deputy Building Inspector

Signature of Director
NOTE: PLEASE KEEP FOR YOUR RECORDS
12-31-18-CCC


Date
CC: Rosanna Sfraga
Liz Decort
Debbie Arbolino

PERMIT EXPIRES TWO (2) YEARS FROM DATE OF ISSUANCE.
 TWO SIX (6) MONTH EXTENSIONS MAY BE GRANTED PRIOR TO EXPIRATION DATE.
APPLICATION FOR BUILDING / DEMOLITION PERMIT

TOWN OF ORANGETOWN

20 Greenbush Road, Orangeburg, NY 10962 Phone: (845) 359-8410 Fax: (845) 359-8526

ZONE: <u>RG</u> <u>(GMD)</u> OFFICIAL USE ONLY	ACREAGE: <u>14</u>
Inspector: <u>lma</u> Date App Received: <u>3.26.2021</u>	Received By: <u>[Signature]</u>
Permit No. <u>51278</u>	Date Issued: _____
CO No. _____	Date Issued: _____
Permit Fee: <u>\$348.-</u> Ck# <u>0426</u> Paid By <u>Green</u>	
GIS Fee: <u>20.-</u> Ck# <u>0427</u> Paid By <u>" "</u>	
Stream Maintenance Fee Ck# _____ Paid By _____	
Additional Fee: _____ Ck# _____ Date Paid _____ Paid By _____	
1 st 6 mo. Ext.: _____ Ck # _____ Exp. Date: _____ Paid By _____	
2 nd 6 mo. Ext.: _____ Ck # _____ Exp. Date: _____ Paid By _____	

APPLICANT COMPLETES:

Note: See inside for instructions for completing this application.
PAGES 2, 3 and PAGE 4 must be reviewed and PAGES 3 & 4 must signed by the applicant.

Property Location: 160 SOUTH MAIN STREET, PEARL RIVER
 Section: 72.08 Block: 1 Lot: 29
 Property Owner: JAMES + CAROL GREEN
 Mailing Address: 99 BRIAR ROAD, NANUET, NY 10954
 Email: jvg9845@gmail.com Phone #: (845) 629-3760
 Lessee (Business Name): N/A
 Mailing Address: _____
 Email: _____ Phone #: _____
 Type of Business /Use: RESIDENCE
 Contact Person: JAMES GREEN Relation to Project: OWNER
 Email: jvg9845@gmail.com Phone#: (845) 629-3760
 Architect/Engineer: JAMES GREEN NYS Lic # 078453
 Address: 99 BRIAR ROAD, NANUET, NY 10954 Phone#: (845) 629-3760
 Builder/General Contractor: N/A RC Lic # _____
 Address: _____ Phone#: _____
 Plumber: N/A RC Lic # _____
 Address: _____ Phone#: _____
 Electrician: N/A RC Lic #: _____
 Address: _____ Phone#: _____
 Heat/Cooling: N/A RC Lic#: _____
 Address: _____ Phone#: _____

Existing use of structure or land: RESIDENCE
 Proposed Project Description: DECK AT REAR OF HOUSE 8' X 41'

Proposed Square Footage: 328 SF Estimated Construction Value (\$): 11,480.-

BUILDING DEPARTMENT COMPLETES BELOW

PLANS REVIEWED: _____

PERMIT REFERRED / DENIED FOR:
Chapter 43 Title 3.12 Column 1 26 feet, Column 2 Green O, Column 3 SFR Column 9 Side Yard 10' w/ 5.25 proposed, Column 10 Total Side Yard 30' w/ 19.05 proposed. Two Variances Required.

[Signature] Deputy 4.2.2021

FOR OFFICE USE ONLY SECTION BLOCK LOT NAME PERMIT#

APPLICATION FOR BUILDING/DEMOLITION PERMIT

APPLICANT MUST COMPLETE OR APPLICATION WILL NOT BE ACCEPTED

ZONING BULK REQUIREMENTS			
Zone:	Group:	Use:	
		Required	Existing
Floor area ratio			
Lot area			
Lot width			
Street frontage			
Front yard setback			
Side yard setback			
Total side yard setback			
Rear yard setback			
Maximum building height			

Number of stories: _____ Construction Type: _____ Occupancy Class: _____

Zoning Chart Information Completed by: _____

- Sewage: (circle one) Town County Private
- How many kitchens on the property? (2) TWO
- Are there any renters, tenants, lessees or boarders at this property? YES / NO
- Are there any other building permits on this property? YES / NO
- Is the property in a flood plain? YES / NO

AFFIDAVIT

State of New York)
 County of Rockland) SS.:
 Town / Village of POCONO SPRINGS

I, JAMES V. GRIFFIN being duly sworn, deposes and says that he/she is the (circle one) owner, lessee, engineer, surveyor, architect, builder, or agent of the owner) in fee of the premises to which this application applies; that he/she (the applicant) is duly authorized to make this application and that the statements contained in the papers submitted herein are true to the best of his/her knowledge and belief, and that the work will be performed in the manner set forth in the application and in the plans and specifications filed therewith, and in accordance with the State Uniform Building Code and all other applicable laws, ordinances and regulations of the municipality. I also declare that the structure or area described in this application will not be occupied or used until I have obtained a Certificate of Occupancy or Certificate of Compliance.

Signature and Mailing Address

[Signature]

99 BZLAR ROAD

NANUET, NY 10954

SWORN to before me this 26 day of March, 2021

Witness: Dina Raymond
 (If not witnessed by Building Department personnel, Notary signature is required.) _____, Notary Public

OFFICIAL USE ONLY:	
Checked by: _____	Date: _____
Permit Granted for: _____	

Signature: _____	Date: _____
Director, OBZPAE	

SWIS	PRINT KEY	NAME	ADDRESS
392489	68.20-5-41	Thomas D Budano	143 Ridge St,Pearl River, NY 10965
392489	68.20-5-42	Christopher Brundage	147 Ridge St,Pearl River, NY 10965
392489	68.20-5-43	Mattison J Stanton	150 S Main St,Pearl River, NY 10965
392489	68.20-5-44	Michael Kuchieski	148 S Main St,Pearl River, NY 10965
392489	68.20-5-45	Drew Kastner	144 So Main St,Pearl River, NY 10965
392489	68.20-5-68	Lewis Wallace	153 So Main St,Pearl River, NY 10965
392489	72.08-1-28	Francesco Zoccali	168 S Main St,Pearl River, NY 10965
392489	72.08-1-29	James W Green	99 Briar Rd,Nanuet, NY 10954
392489	72.08-1-30	Eileen Grady	159 Ridge St,Pearl River, NY 10965
392489	72.08-1-31	Rebecca Boecker	161 Ridge St,Pearl River, NY 10965
392489	72.08-1-32	Carrie DeLuca	167 Ridge St,Pearl River, NY 10965
392489	72.08-1-33	Barry T Molloy	171 Ridge St,Pearl River, NY 10965

James V. Green, P.E.
99 Briar Road
Nanuet, NY 10954
(845) 629-3760

May 13, 2021

Office of Building, Zoning, Planning, Administration & Enforcement
Orangetown Zoning Board of Appeals
20 Greenbush Road
Orangeburg, New York 10962

RE: Variance Request– Existing Deck Structure
160 South Main Street
Pearl River, NY 10065

SBL#: 78.02-1-29

Members of the Board,

I am applying for an area variance of the general bulk regulations for an existing low-level deck structure at the above address. I purchased the property with the deck in place in 2005, and refinanced in 2007 and no violations were discovered. I am in contract with a purchaser and it has been discovered that the deck does not conform to the existing side yard requirements.

The deck runs 41 ft along the rear of the two-family home, is 8 ft wide and just under 2 ft high. It is situated approximately 55 ft from the backyard lot line. Upon records and image research, I concluded the deck was constructed circa 1989 approximately 32 years ago. It has not been modified or increased in size since its original construction. Building permits indicate that it was repaired in 2004. I was unaware that it did not conform to existing general bulk regulations as the existing home was built prior to 1930 and does not have an original certificate of occupancy.

So as a result of the building permit denial, I would like to request a minimum side yard variance of 4.7 ft verses the 10 ft minimum, and a total side yard variance of 15 ft verses the 30 ft designated in the general bulk requirement tables.

I offer the following to show that the benefit the homeowner/tenants stand to receive from the variance will outweigh any burden to health, safety and welfare that may be suffered by the community.

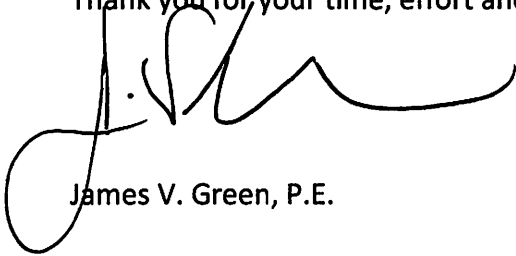
1. The existing deck poses no change to the existing character of the neighborhood or the use of the building, it has been in place for approximately 32 years without complaint. It

provides outdoor living space that is especially valued during this Covid crisis. All of the abutting properties have either a high fence or high hedgerows which render the deck not visible from any adjacent properties.

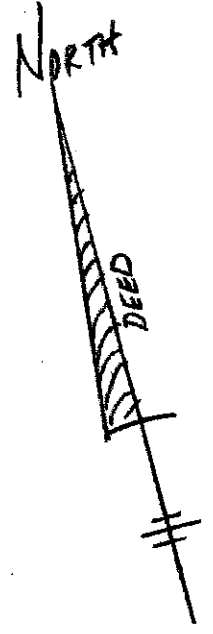
2. Other options such as modifying the size of the deck are not feasible, it is used as the main entry to the rear of the home. Significantly modifying, or removing it would be costly and remove existing outdoor space. It is not feasible to remove the deck.
3. *The request is not a substantial change. The house was built prior to bulk regulations and is situated only 0.9 ft from the adjacent property to the south.*
4. There is no environmental impact caused by leaving the deck in place.
5. The resulting placement of the deck was not self-created, as previously stated it has been in place for the past 32 years through several real estate transactions
6. I am requesting the minimum area variance to the side yard bulk regulation to keep the existing deck.

If you have any questions, comments, or require additional information, you can reach me at (845) 629-3760 at any time to discuss.

Thank you for your time, effort and consideration,

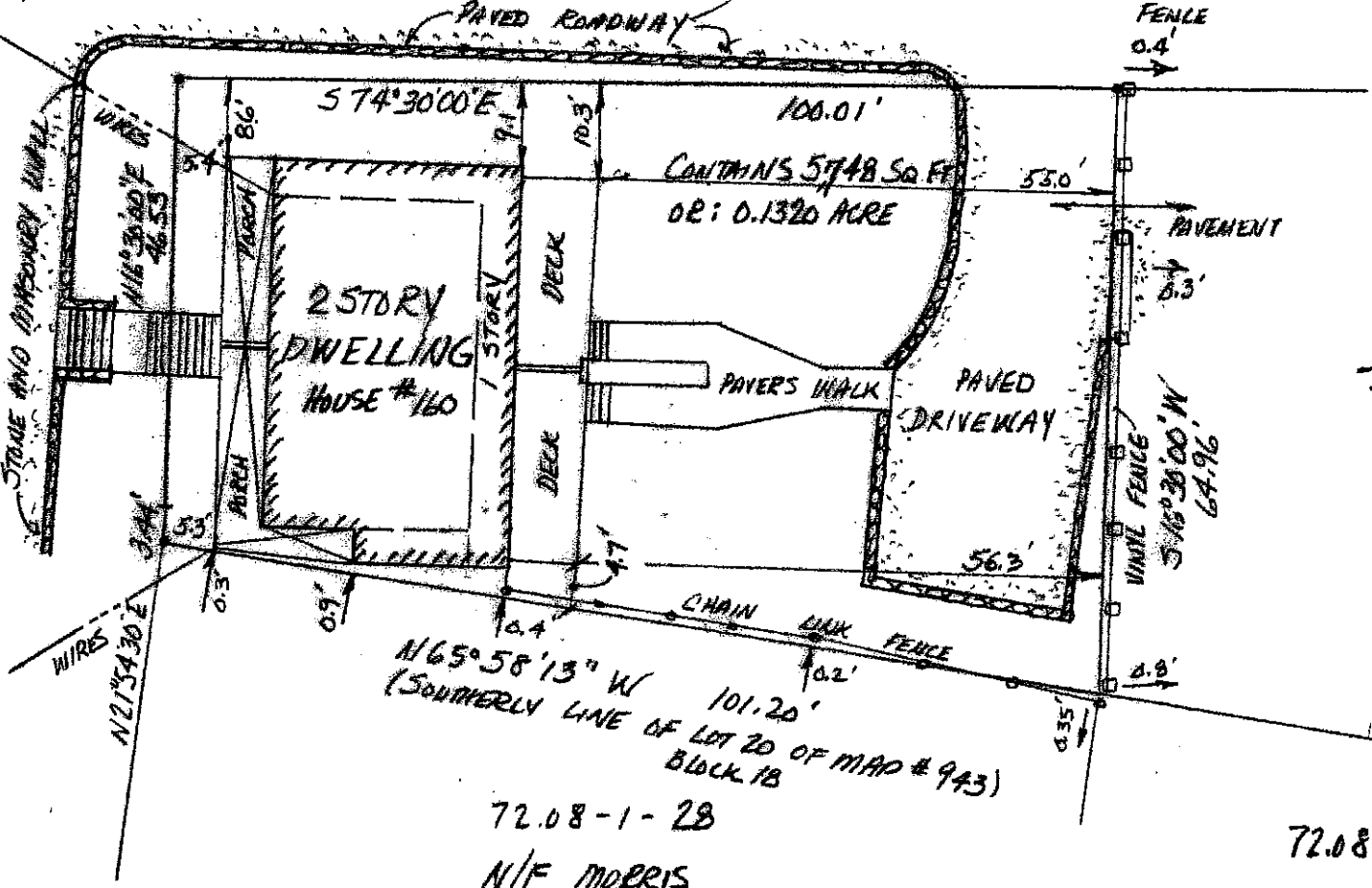
A handwritten signature in black ink, appearing to read 'J. V. Green', with a large, stylized flourish at the end.

James V. Green, P.E.



SOUTH MAIN STREET (60' WIDE)

CARDELL AVE. (25' WIDE)



72-08-1-30
N/F GIBBONS

N 65° 58' 13\"/>
(SOUTHERLY LINE OF LOT 20 OF MAP # 943)
BLOCK 1B

72.08-1-28
N/F MORRIS

72.08-1-31

RECEIVED
MAY 14 2021
TOWN OF ORANGETOWN
LAND USE BOARDS

ZONING BOARD OF APPEALS
Meeting Of:
JUL 7 2021
Town Of Orangetown

REVISED MAY 09, 2021: ADD REAR OFFSETS

JAMES E. DRUMM
LAND SURVEYOR
22 STEEP HILL ROAD
NANUET, NEW YORK 10954
845-357-0211 JIMDRUMM@DRUMMSURVEY.COM

SURVEY
OF
SECTION 72.08 - BLOCK 1
LOT 29
PEARL RIVER
TOWN OF ORANGETOWN - ROCKLAND COUNTY - NEW YORK



UNAUTHORIZED ALTERATION OR ADDITION
TO ANY PLAN OR MAP BEARING THE SEAL
OF A PROFESSIONAL ENGINEER OR LAND
SURVEYOR IS A VIOLATION OF SECTION
2000 OF THE N.Y. STATE EDUCATION LAW

DEED REFERENCE: INST. # 2005-25981

JAMES E. DRUMM
N.Y.L.S. #49952-N.J.L.S. #33360
DRAWN BY: TS
CHECKED BY: JED
SCALE: 1"=20'
DATE: APRIL 26, 2021
JOB: 2735
DWG: 2735