

Name of Municipality: TOWN OF ORANGETOWN Date Submitted: _____

2022 LAND USE BOARD APPLICATION

Please check all that apply:

<input type="checkbox"/> Commercial <input type="checkbox"/> Planning Board <input 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 type="checkbox"/> Variance <input type="checkbox"/> Performance Standards Review <input type="checkbox"/> Use Variance <input type="checkbox"/> Other (<i>specify</i>): _____	<input 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 type="checkbox"/> Final <input type="checkbox"/> Interpretation
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PERMIT#: _____
ASSIGNED _____
INSPECTOR: _____

Referred from Planning Board: YES / NO
 If yes provide date of Planning Board meeting: _____

Project Name: Amended Subdivision Map - Resubdivision Heaven Too Trust

Street Address: Washington Spring Rd. Palisades, NY 10964

Tax Map Designation:
 Section: 78.19 Block: 0 Lot(s): 13
 Section: _____ Block: _____ Lot(s): _____

Directional Location:
 On the north side of Washington Spring Rd, approximately
10 feet of the intersection of Lawrence Lane, in the
 Town of ORANGETOWN in the hamlet/village of Snedens Landing, Palisades,

Acreage of Parcel <u>37,468 sf</u> School District <u>South Orangetown</u> Ambulance District <u>Orangetown</u> Water District <u>Orangetown</u>	Zoning District <u>R-22</u> Postal District <u>Palisades</u> Fire District <u>Palisades</u> Sewer District <u>private</u>
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Project Description: *(If additional space required, please attach a narrative summary.)*
 Minor revision to the subdivision map approved in 2000 - correct the house footprint to include an addition built in 1984 that was inadvertently omitted. A bulk variance was granted for the 1984 for the side yard setback but the AS-BUILT side yard setback is 5.5' not the 8.2' setback originally approved by the ZBA, therefore we request a variance for this exist.

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
 Date: 12/22/21 Applicant's Signature: _____

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? yes

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.

1983 ZBA approved a side yard setback of 8.2' ; in 2000 a subdivision map was approved by Pl
which did not show 1984 addition, We seek to correct the file, request a variance for exist. 5.5'

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

none



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962**

**Jane Slavin, RA
Director**

(845) 359-8410

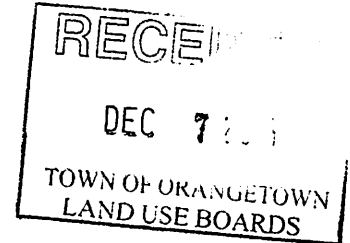
Fax: (845) 359-8526

Date: December 6, 2021

To: Cheryl Coopersmith, Chief Clerk
Planning Board

From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.

Subject: **40 Washington Spring Road Resubdivision Plan**
Prepreliminary/Preliminary/Final Site Plan & SEQRA
40 Washington Spring Road, Palisades
78.19/1/13; R-22 zoning district



PB #21-70

Submission Reviewed:

Proposed Lot Line Changes Drawing as prepared by Steven J. Collazuol, PE, last revised 8-23-2021.

- 1) The application is before the board to correct an error in the previously approved subdivision map. Outline of history;
 - a) The subdivision was approved on May 24, 2000, PB#00-99. The approved map did not show an addition to the main dwelling that had been completed in 1984. The approved subdivision map shows a side yard setback for lot 13 of 22.2' to the main dwelling.
 - b) On December 21, 1983, a side yard variance of 8.2' to the proposed addition was granted per ZBA #83-80.
 - c) OBZPAE received an application in 2021 for an addition to the stucco garage. The site plan submitted indicated a setback to the main dwelling of 5.5'.
- 2) The applicant must return to the ZBA for approval of the actual as-built setback of 5.5'.
- 3) Applicant shall advise as to who prepared the revised plan dated 8-23-21.
- 4) The SEAF appears to be in order.

JS 12-6-2021

DECISION

Z.B.A. 83-80

FROM: ZONING BOARD of APPEALS, Town of Orangetown

TO: Merrill & Brenda Shepard

RE: To consider an appeal from a denial by the Inspector and an application by Merrill & Brenda Shepard, owners, to erect a one bedroom addition with a bathroom to an existing one family residential dwelling.

The applicants request variances from the provisions of the Orangetown Zoning Code Section 3.12, R-15 zoning district as follows:

Column 8, Side Yard; 20 feet is required and 8.2 feet is proposed;

Column 11, A maximum building height of 8.2 feet is allowed and 10.5 feet is proposed.

Premises is situated on the northerly side of Washington Spring Road (River Road) approximately 150 feet easterly from the intersection of Lawrence Lane and Washington Spring Road (River Road), in the hamlet of Palisades, New York and shown on the Orangetown Tax Map as Section 61, Block 528, Lot 95 in an R-15 zoning district.

Heard by the ZONING BOARD of APPEALS, Town of Orangetown, Rockland County, New York, at meeting held on Wednesday evening, DECEMBER 21, 1983 and, as of that date, determination made as follows:

The applicant had presented:

1. A portion of the tax map as a vicinity map.
2. Plans entitled "Proposed Addition to House of Mr. & Mrs. Merrill Shepard, Snedens Landing, Palisades, New York, Ferdinand Eisenman, Architect", dated November 28, 1983 consisting of three sheets "Plan", northeast and west elevations and "Plot Plan".

Mr. Merrill Shepard appeared and testified that the addition is needed to provide a bedroom and bath on the first floor because he anticipates that he and Mrs. Shepard may have difficulty, for health reasons, in climbing stairs.

The proposed bedroom is smaller than the bedroom they now occupy and the proposed construction cannot be built elsewhere because of the interior layout of the existing house.

The Board received a letter from Anne Gugler and Mirian G. MacAllister, joint owners of abutting property, urging granting the variances.

There were no other appearances.

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

The Board members made a personal inspection of the premises on Sunday, December 18, 1983, and found them to be properly posted and as generally described on the application.

The Board found, as a fact, that the applicant had shown the necessary practical difficulty to warrant approval of the variances because of the plan of the house the proposed construction could not be accomplished and still comply with the zoning code.

(DECISION - MERRILL & BRENDA SHEPARD - SHEET #2)

The granting of the variances would be in harmony with the spirit and general purpose and intent of the Zoning Code. It would not be detrimental to the neighborhood or neighboring properties or the public welfare; public safety and welfare would be secured and substantial justice done.

These are the minimum variances required.

DECISION: In view of the foregoing and the testimony before this Board, the application for variances BE and **HEREBY IS GRANTED.**

The foregoing variances are granted in accordance with the plans submitted and subject to the applicant obtaining the necessary permits from the agencies having jurisdiction.

Approval of the Board is limited to specific approval of the variances requested and granted.

The Board gives no approval to any building plans of the applicant.

A Building Permit must be obtained prior to undertaking any construction approved in this decision.

A Certificate of Occupancy is required.

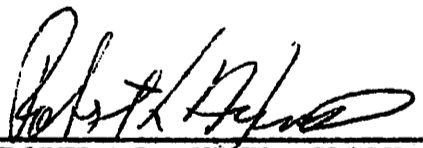
The foregoing variances will lapse if the contemplated construction, for which the variances are granted, is not substantially implemented within one year from the filing of this decision.

Motion on the foregoing made by Mr. Hodge, seconded by Mr. Mowerson, and carried by the Board members as follows: Martin Hodge, aye; William H. Mowerson, aye; Alfred Visalli, aye; Louis E. Kayser, aye; James L. Crosbie, absent.

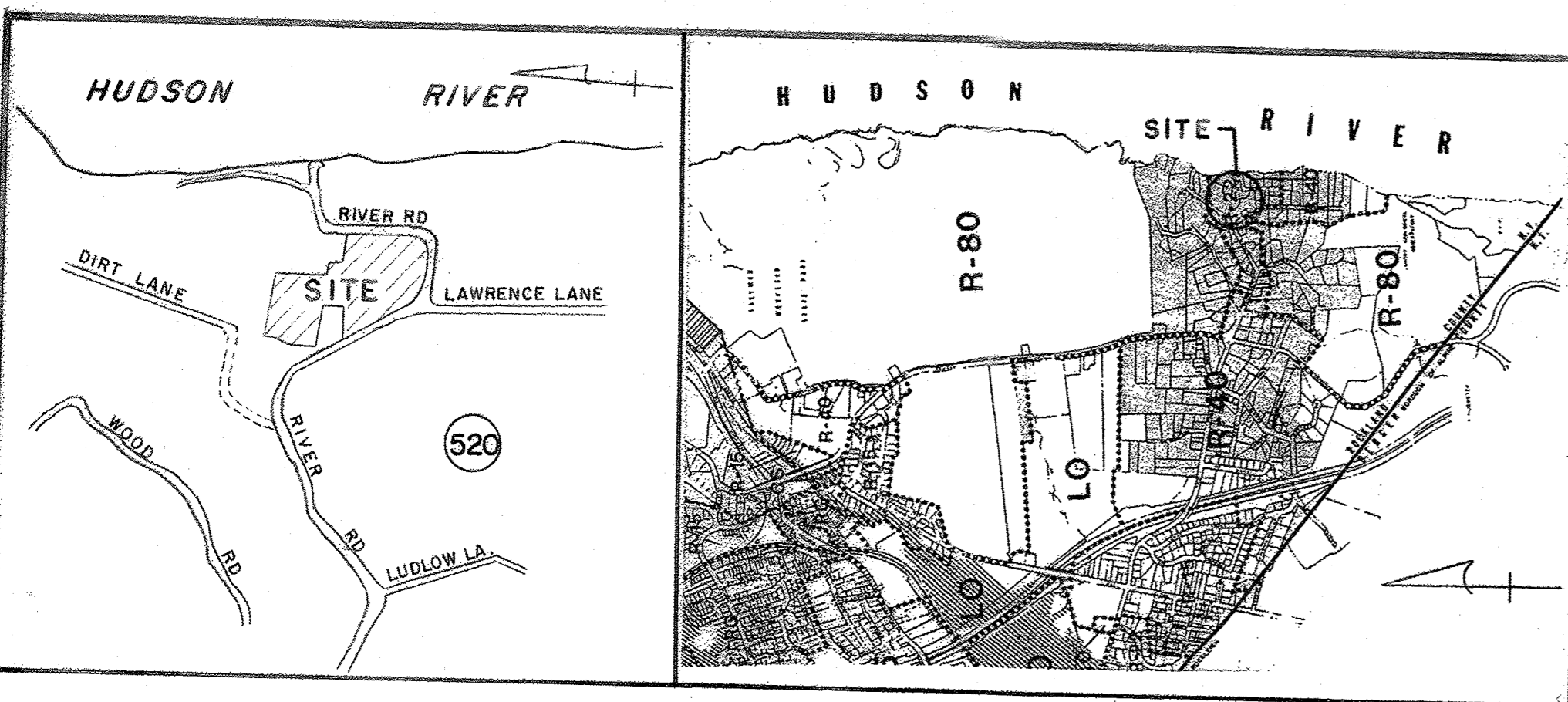
The Clerk of the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the Office of the Town Clerk.

Dated: December 21, 1983

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

BY: 
ROBERT L. HUNT, CLERK

DISTRIBUTION:
Town Clerk
Town Attorney
Deputy Town Attorney
Supervisor
Director-OBZPAE
Property File - OBZPAE
Assessor's Office
Zoning Board of Appeals
Town Board



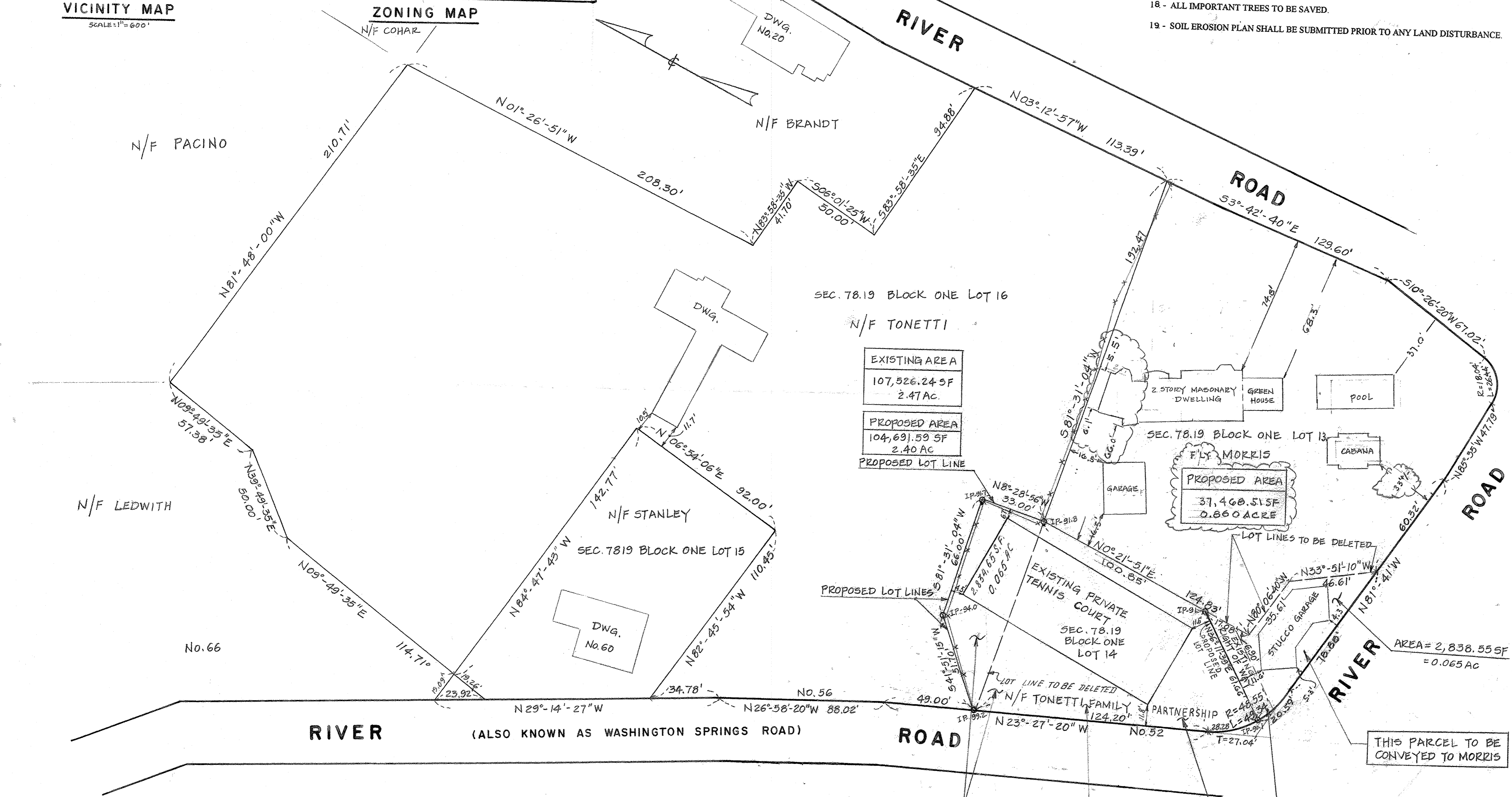
VICINITY MAP
SCALE: 1" = 600'

ZONING MAP
N/F COHAR

GENERAL NOTES

1. OWNERS: TONETTI FAMILY PARTNERSHIP 8704 MEADOWCROFT HOUSTON TEXAS
N/F ANN & JOSEPH TONETTI 14 LAWRENCE LANE PALISADES, N.Y.
N/F MARK MORRIS 40 WASHINGTON SPRING RD. PALISADES, N.Y.
N/F SNEDENS LANDING TENNIS ASSOCIATION
% LUDINGTON LAWRENCE LANE PALISADES, N.Y.
2. - DISTRICTS:
SCHOOL - SOUTH ORANGETOWN CENTRAL SCHOOL DISTRICT
FIRE - SPARKILL - PALISADES FIRE DISTRICT
WATER - PALISADES WATER DISTRICT
LIGHTING - ORANGETOWN LIGHTING DISTRICT
SEWER - TOWN OF ORANGETOWN
3. - TAX LOT NUMBER: FORMERLY SECTION 61 BLOCK 528 LOT 92, 94 AND 95
CURRENTLY SECTION 78.19 BLOCK 1 LOTS 13, 14 & 16
4. - ZONE: R-22, SINGLE FAMILY RESIDENCE.
5. - AREA OF TRACTS: 107,526.24 S.F. = 2.469 AC., 31,460.77 SF = 0.722 AC. AND 12,801.5 SF = 0.294 AC
6. - ALL UTILITIES, INCLUDING ELECTRIC AND TELEPHONE SERVICE TO BE INSTALLED UNDERGROUND.
7. - NO BUILDING PERMIT WILL BE ISSUED UNTIL SEWAGE DISPOSAL ARRANGEMENTS HAVE BEEN APPROVED BY THE ROCKLAND COUNTY HEALTH DEPT. AND/OR TOWN OF ORANGETOWN.
8. - THIS PLAT IS SUBJECT TO DETAILS OF GRADING, ROADS AND UTILITIES AS SHOWN CONSTRUCTION PLANS APPROVED BY THE PLANNING BOARD AND FILED WITH THE TOWN CLERK. LOT DRAINAGE SHOWN SHALL CONSTITUTE EASEMENTS RUNNING WITH THE LAND AND ARE NOT TO BE DISTURBED.
9. - + INDICATES IRON PIN AND ELEVATION.
10. - ELEVATIONS AS PER U.S.G.S. DATUM.
11. - "LOT DRAINAGE SHOWN SHALL CONSTITUTE EASEMENTS RUNNING WITH THE LAND AND ARE NOT TO BE DISTURBED."
12. - NO DEVELOPMENT ANTICIPATED AT TENNIS COURT.
13. - NO BUILDING PERMITS SHALL BE ISSUED FOR ANY PARCEL UNTIL THE RESULTS OF THE TEST PITS HAVE BEEN SUBMITTED TO THE BUILDING DEPARTMENT.
14. - THIS PLAT DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239K OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK.
15. - IRON PINS SHALL BE PLACED AT ALL LOT CORNERS.
16. - REFERENCES: MAP ENTITLED, "SURVEY OF A PORTION OF THE PROPERTY OF M.L. TONETTI LOCATED AT PALISADES, N.Y." DATED FEB. 1928 PREPARED BY W.O. POLHEMUS AND LIBER 837 PAGE 1067.
17. - NO BUILDING PERMITS SHALL BE ISSUED UNTIL ARCHITECTURAL AND SITE PLANS ARE APPROVED BY THE PLANNING BOARD.
18. - ALL IMPORTANT TREES TO BE SAVED.
19. - SOIL EROSION PLAN SHALL BE SUBMITTED PRIOR TO ANY LAND DISTURBANCE.

1. OWNERS: TONETTI FAMILY PARTNERSHIP 8704 MEADOWCROFT HOUSTON TEXAS
N/F ANN & JOSEPH TONETTI 14 LAWRENCE LANE PALISADES, N.Y.
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EXISTING AREA
107,526.24 SF
2.47 AC.
PROPOSED AREA
104,691.59 SF
2.40 AC.

PROPOSED AREA
37,460.51 SF
0.860 ACRE

EXISTING AREA
12,805.45 SF
0.294 AC.
PROPOSED AREA
12,801.50 SF
0.2939 AC.

LEGEND

O IP - IRON PIN TO BE SET

JAN 19 2022

APPLICANT: N/F TONETTI FAMILY PARTNERSHIP

THIS PARCEL TO BE CONVEYED TO MORRIS

THIS PARCEL TO BE CONVEYED TO SNEDENS LANDING TENNIS ASSOCIATION

EXISTING RIGHT OF WAY TO BE ELIMINATED

ZONING SCHEDULE - R-22 SINGLE FAMILY RESIDENCE				
ITEM	REQUIRED	PROPOSED	LOT 15	
MIN. LOT AREA	22,000 SF	12,801.50 SF	37,460 SF	
MIN. LOT WIDTH	125'	157'	205.7'	
MIN. STREET FRONTAGE	75'	152.48'	450.6'	
FRONT YARD	40'	11.8'	68.3'	
SIDE YARD	25'	4.5'	5.5'	
TOTAL SIDE YARD	60'	16.1'	11.8'	
REAR YARD	45'	6.7'	N/A	

* VARIANCE GRANTED BY ZBA

ADDITION 2/18/08 3/22/00 PLAN, BD 8/18/00 FINAL APPROVAL 8/23/21 ADD'S.	<p>PROPOSED LOT LINE CHANGES FOR SNEDENS LANDING TENNIS ASSOC. N/F MORRIS AND TONETTI HAMLET OF PALISADES TOWN OF ORANGETOWN R.C.</p> <p>JOHN E. COLLAZUOL & ASSOC. PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS 1610 CENTER AVENUE 1201/2 N. BROADWAY FORT LEE, NEW JERSEY NYACK, NEW YORK (201) 944-7774 (914) 358-1510</p>	FILE NO. 28806-98
	DRAWN BY P.S.H.	CHECKED BY JAM
	SCALE 1" = 30'	DATE 1/27/00
	STEVEN J. COLLAZUOL NEW YORK PROFESSIONAL LAND SURVEYOR LIC. NO. 49862 NEW YORK PROFESSIONAL ENGINEER LIC. NO. 70688	SHEET 1 OF 1