

**MINUTES  
HISTORICAL AREAS BOARD OF REVIEW  
SEPTEMBER 13, 2022**

MEMBERS PRESENT: Margaret Raso, Chair  
Thano Schoppel  
Scott Wheatley  
Allen Ryf  
Loren Plotkin  
Larry Bucciarelli  
William Walther

ABSENT: None

ALSO PRESENT: Deborah Arbolino, Administrative Aide  
Brittany Cordero, Deputy Town Attorney  
Anne Marie Ambrose, Official Court Stenographer

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>
CROSBY 23 Closter Road Palisades, NY 78.17 / 2 / 24; R-40 zoning district	APPROVED AS MODIFIED	HABR#22-10

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 7:45 P.M.

DATED: September 13, 2022

HISTORICAL AREAS BOARD OF REVIEW

BY:

  
Deborah Arbolino, Administrative Aide

TOWN OF ORANGETOWN  
2022 SEP 26 P 12:46  
TOWN CLERK'S OFFICE

DECISION

**APPROVED AS PRESENTED: EXTERIOR BUILDING ELEVATIONS PLAN A.3  
DATED SEPTEMBER 13, 2022**

TO: William Pfaff (Crosby)  
208 Foss Drive  
Upper Nyack, NY 10960

HABR #22-10  
July 12, 2022 & September 13, 2022  
Permit#51563

FROM: HISTORICAL AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR#22-10: Application of Jennifer Crosby for review of a renovation and addition to an existing single-family residence. The premises are located at 23 Closter 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: 78.17 / 2 / 24 ; R-40 zoning district.

Heard by the HISTORICAL AREAS BOARD OF REVIEW at meetings held on the following Tuesdays, July 12, 2022 and September 13, 2022 at which time the Board made the following determination:

William Pfaff, Architect, Thomas Frawley, Jennifer's husband, appeared at the July 12, 2022 hearing.

The following documents were presented:

1. Copy of a portion of the survey for the property.
2. Plans labeled "Addition and renovation of the Residence of Jennifer Crosby" dated June 8, 2021 with the latest revision date of May 3, 2022, signed and sealed by William E. Pfaff, Architect.

William Pfaff, Architect, stated that the house at 22 Closter Road is on an undersized lot for the R-40 zone; that the intent is to make the house more livable; that it is a 1,350 sq. ft. house; that they are reconfiguring the kitchen and bath; adding approximately 40 sq. ft. and moving the bulkhead door to back of the house; that the exterior steps are changing; that he has photos of the existing house that was built around 1880 and its existing siding is white asbestos; and below that is clapboard; that in order to get to the original siding, the owner would have to have asbestos abatement, which is very expensive; that if they are permitted to do the proposed vinyl siding, they can cover over the asbestos and skip the abatement; that cost is an issue; that the house next door has vinyl siding; that they stopped making asbestos shingles, so that is not an option; and that this is not a historic house like you see in Snedan's; that the vinyl siding would be harmonious to the neighborhood; and that they would like to request a continuance until the September 13<sup>th</sup> hearing to consider all of the suggestions from the Board.

Brittany Cordero, Deputy Town Attorney, recited several sections of the code for the Board: 12-4 (E) "Owners of structures constructed before December 31, 1918, desiring to make alterations more extensive than repairs shall design such alterations only in a manner consistent with the exterior materials, scale, fenestration, colors, design and appearance of the existing or of

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the original structure.” And she also quoted section 12-3 Consistent with- Used in reference to alterations, it means that added exterior architectural features and building materials shall be compatible and harmonious with, but not necessarily identical to, those of the existing structure or original structure.” And 12-4(F): “ Owners of structures after December 31, 1918, desiring to make alterations more extensive than repairs and thus requiring a building permit are to use materials and designs, where possible , that are consistent with the existing structure. Notwithstanding the above, the Board of Review shall permit the use of modern building materials. In the case of an architecturally significant structure, the board of Review shall permit the use of modern building materials where it determines that such use is appropriate and creates an appearance that is harmonious with structure in the immediate surrounding area.”

Thomas Frawley stated that the cost of hardi-board is much more than vinyl siding; and asked the Board if they would consider hardi-board in the front of the house and vinyl siding on the sides and back of the house.

Larry Bucciarelli stated that with Hardi-plank the underlying materials do not need to be removed; that the homeowner has the right to remove asbestos siding and bury it in their yard.

Thano Schoppell stated that the law does not permit the Board to approve vinyl siding on houses built prior to 1918.

PUBLIC COMMENT:  
No public comment.

**September 13, 2022 All Board members were present.**

William Pfaff, Architect, Thomas Frawley, Jennifer’s husband, appeared at the September 13, 2022 hearing.

The following documents were presented:

1. Copy of a portion of the survey for the property.
2. Plans labeled “ Addition and renovation of the Residence of Jennifer Crosby” dated June 8, 2021 with the latest revision date of September 13, 2022, signed and sealed by William E. Pfaff, Architect.
3. A revised materials list.

William Pfaff, Architect, stated that he printed revised elevation drawings which show the change to the proposed siding, window trim and trim; that they heard everything the Board said at the last meeting and they are now proposing to use Hardi Plank siding in Sandstone Beige with the same product being used for the trim and window trim in White; that the roof will be charcoal fiberglass shingle by GAF Timberline; that the front door will remain and the back door will be wood and glass by Simpson Door Company; that the small deck off the rear door will have wrought iron railings; that the front of the house has only two steps and no railing; and that the only window being changed is the bow window which will be replaced with a clad wood Andersen /Pella Bow Window.

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TOWN CLERK'S OFFICE

Thomas Frawley stated that he has no problem using the smooth lap siding by Hardi Plank; that they are only replacing the bow window and all of the other windows are Andersen divided lite windows.

Larry Bucciarelli stated that he is a contractor; that the difference in price for clear cedar siding and hardi plank is substantial; that this house although built in the 1880's has been modified so many times prior to the establishment of this Board, that there are no significant historical features left in the house; that it looks like a house that was built in the 1950's; and because of that he is in support of the hardi board.

Thano Schoppel begged to differ; stating that he is not comfortable setting a precedent for another home owner of a house built prior to 1918 to point to and be able to use hardi board instead of cedar; that this is a slippery slope.

Loren Plotkin disagreed with Thano; stating that the Town Code does not state that the owner must use the original material; rather it may also consider the materials used on the current house; that the Board must consider the condition of the house that is before them; that he is not worried about setting a precedent because this material may be more suitable for this particular house in its present condition.

William Walther asked a question regarding the Hauser house on Kings Highway; and stated that the Board required the applicant to use cedar on the small original structure but allowed the applicant to use the suggested engineered wood on the larger new portions of the proposed structure; that economics were considered and so was maintenance; that this house not having any of its original historic features must be considered in the decision.

Thano Schoppel made a motion to close the public portion of the hearing, which motion was seconded by Loren Plotkin and carried unanimously.

Margaret Raso made a motion to approve the application as presented at this evenings hearing with Hardi-Plank instead of the originally requested vinyl siding; noting that this particular structure although constructed in the 1880's, was stripped of the original historic details over the years, (prior to the establishment of the HABR Board) and for that reason this application is also considered unique; which motion was seconded by Loren Plotkin and carried as follows:

TOWN OF GRANBY  
JAN 26 12:16 PM  
TOWN CLERK'S OFFICE

**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 new covered front entry, new rear entrance vestibule, new bow window and new siding:

1. The roof shall be GAF Timberline 'NS' Fiberglass shingles in Charcoal.
2. The siding shall be Hardi Plank Lap Siding Smooth Finish Sandstone Beige by James Hardie Building Products.
3. The soffits and fascia shall be white prefinished aluminum.
4. The gutters and leaders shall be white pre-finished aluminum.
5. The window shall be white clad wood Anderson (Double Hung) Pella (Bow Window).
6. The window trim shall be White Hardi Tim Board by James Hardie Building Products.
7. The trim shall be Sandstone beige Hardi Trim Board by James Hardie Building Products Inc.
8. The back door shall be white wood and glass by Simpson.
9. The railings shall be black wrought iron railings.

**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
- TRIM
- SHUTTERS
- DOORS
- LIGHTING
- LOCATION OF AIR CONDITIONING UNITS

2022 SEP 23 11:01  
91 01 01 92 03 1107  
2022 SEP 23 11:01

• WALKWAYS, PATIOS

Crosby

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• 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 the proposed new covered front entry, new rear entrance vestibule , new windows and new Hardi Plank siding is APPROVED AS SUBMITTED on plans labeled A.3 Exterior Building Elevations revised September 13, 2022 signed and sealed by William Pfaff, Architect.

The foregoing resolution to approve the proposed new covered front entry, new rear entrance vestibule , new window, new Hardi Plank siding for an existing single-family residence located at 23 Closter Road, Palisades, HABR#21-05, as submitted with the lasted revision date of September 13, 2022; noting that this particular structure although constructed in the 1880's, was stripped of the original historic details over the years, (prior to the establishment of the HABR Board) and for that reason this application is also considered unique: was presented and moved by Margaret Raso, seconded by Loren Plotkin; and carried as follows: Larry Bucciarelli, aye; Thano Schoppel, nay; Margaret Raso, aye; Scott Wheatley, aye; Allen Ryff, aye; Loren Plotkin, aye; and William Walther, 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: September 13, 2022

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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