

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

Please check all that apply:

<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential
<input type="checkbox"/> Planning Board	<input type="checkbox"/> Historical Board
<input checked="" type="checkbox"/> Zoning Board of Appeals	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Consultation
<input type="checkbox"/> Number of Lots	<input type="checkbox"/> Pre-Preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Interpretation
<input checked="" type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: BLDR-1897-22
 ASSIGNED
 INSPECTOR: Ken L

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

Project Name: Ristovski

Street Address: 1 O'Grady Court
Orangeburg, NY 10960

Tax Map Designation:

Section: 69.08 Block: 1 Lot(s): 2.2
Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the _____ side of O'Grady Court, approximately _____ feet AT the intersection of Sickletown Rd, in the Town of Orangeburg town in the hamlet/village of Orangeburg.

Acreage of Parcel <u>.91</u>	Zoning District <u>R-40</u>
School District <u>Pearl River</u>	Postal District _____
Ambulance District <u>SOT</u>	Fire District <u>Orangeburg</u>
Water District _____	Sewer District _____

Project Description: (If additional space required, please attach a narrative summary.)

Installation of 6' fence per plans

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.

Date: _____ 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: N/A

- 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: N/A

- 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. N/A

Environmental Constraints: N/A

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? no _____

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.

N/A



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: September 1, 2022

Applicant: Ristovski

Address: 1 O'Grady Ct, Pearl River, NY

RE: Application Made at: same

Chapter 43, Section 5.226 requires not more than 4.5' height in front yard with 6' proposed
1 Variance required

Section: 69.08

Block: 1

Lot: 2.2


Dear Ristovski:

Please be advised that the Building Permit Application, which you submitted on
August 23, 2022, has been denied. I have enclosed a Xerox copy of your application, where you will find
at the bottom the reason for denial.

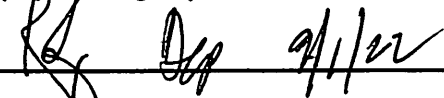
**In Accordance with Zoning, Chapter 43 Section 10.322 the time to appeal a determination of a
Building Inspector or Similar administrative office is thirty (30) days from the filing of such a
determination with the Town Clerk.**

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



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

Date
CC: Rosanna Sfraga
Liz Decort
Debbie Arbolino

APPLICATION REVIEW FORM

AFFIDAVIT

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

I, Maureen Nicolich being duly sworn deposes and says that he is the applicant, (agent) or attorney for applicant, in the matter of the petition before the Zoning (board) in the town/village of Orangetown affecting property located at 10' Grady Ct., Rockland County, New York.

That the following are all of the owners of property 200' (distance) from the premises as to which this application is being taken.

SECTION-BLOCK-LOT	NAME	ADDRESS
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69.08-1-2.1	Ann Sickels Mathews	PO Box 423, W. Tisbury MA 02575
69.08-1-2.3	John Ficarra	30' Grady Ct., Orangeburg, NY 10962
69.08-1-2.4	Maureen C. Bosley	10 Sugarhill Rd., Nyack, NY 10960
69.08-1-2.5	Armen Khimian	509 Jumano Ct, Suffern NY 10901
69.08-1-2.6	Labozz-2 Builders Corp.	10 Sugar Hill Rd., Nyack, NY 10960
69.08-1-2.7	same as above	
69.08-1-2.8	John P. Coffey	15 0' Grady Ct. Orangeburg, NY 10962
69.08-1-2.9	Christopher J. Lehman	8 0' Grady Ct. Orangeburg, NY 10962
69.08-1-2.11	Ann Sickles Mathews	1/6 Town of OT, 26 Orangeburg Rd Orangeburg, NY 10962
69.08-1-1.8	Alan Perzigian	12 Camelot way, Orangeburg, NY 10962
69.08-1-14	Alayne Wallace	7 Abbey Rd., Orangeburg, NY 10962
69.08-1-15	Sherri Preston	8 Abbey Rd., Orangeburg, NY 10962
69.08-1-30	J. Deane Houser	1 Rolyn Hills Dr., Orangeburg NY 10962
69.08-1-31	Daniel Wolanski	245 Sickletown Rd, Orangeburg, NY 10962

DECISION

SECTION 6.332 GRAVEL/STONE DRIVEWAY VARIANCE APPROVED: PAVER PORTION OF DRIVEWAY DOES NOT REQUIRE A VARIANCE; PAVERS ARE EQUIVALENT TO ASPHALT

To: William Bosley (1 O'Grady Ct.)
10 Sugarhill Road
Nyack, New York 10960

ZBA #19-111
Date: December 4, 2019
Permit #43858

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#19-111: Application of 1 O'Grady Court for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, Chapter 43, R-40 District, Section 6.332: (Driveways of single or two family residences shall be installed with at least three inches of binder mix with a tip wearing course of 1 1/2 inches of fine mix asphalt: decorative gravel exists) for a driveway at an existing single-family residence. The premises are located at 1 O'Grady Court, Orangeburg, New York and is identified on the Orangetown Tax Map as Section 69.08, Block 1, Lot 2.2 in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, December 4, 2019 at which time the Board made the determination hereinafter set forth.

William Bosley, Contractor, appeared and testified.

The following documents were presented:

1. Plans drawn by William Bosley dated 10/24/2019.
2. A letter dated November 15, 2019 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
3. A letter dated November 20, 2019 from the Rockland County Sewer District #1 signed by Joseph LaFiandra, Engineer II.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Denise Sullivan, 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; Ms. Salomon, aye; Mr. Sullivan, aye; Mr. Quinn, aye; and Ms. Castelli, aye.

William Bosley testified that this is one of the new houses that he and his brother built and they have pavers for the first 85' of the driveway and they have decorative gravel outside the garage doors and he was sent for a variance because of the gravel but was also told that the next new house that he is building with a paver driveway will need a variance from the same section of the code because it is not asphalt; and he would appreciate it if the Board commented on that.

Public Comment:

No public comment

TOWN CLERK'S OFFICE
2019 DEC 10 A 11:18
TOWN OF ORANGETOWN

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 Section 6.332 gravel/stone driveway variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Other houses in the area have paver driveways, the gravel at the top by the garage is the reason this house needs a variance from Section 6.332; the paver portion of the driveway is equivalent to an asphalt driveway.
2. The requested Section 6.332 gravel/stone driveway variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Other houses in the immediate area have paver driveways, the gravel at the top by the garage is the reason this house needs a variance from Section 6.332; the paver portion of the driveway is equivalent to an asphalt driveway.
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 Section 6.332 gravel/stone driveway variance, although somewhat substantial, afford 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. . Other houses in the immediate area have paver driveways, the gravel at the top by the garage is the reason this house needs a variance from Section 6.332; the paver portion of the driveway is equivalent to an asphalt driveway.
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 variances.

TOWN OF ORANGETOWN
2019 DEC 10 A 11: 18
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 Section 6.332 gravel/stone driveway 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.

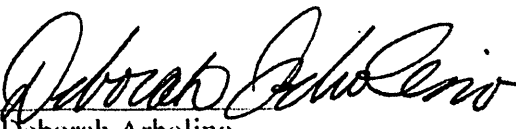
TOWN OF ORANGETOWN
2019 DEC 10 A 11:18
TOWN CLERK'S OFFICE

The foregoing resolution to approve the application for the requested Section 6.332 gravel/stone driveway variance is APPROVED; was presented and moved by Ms. Castelli, seconded by Ms. Salomon and carried as follows: Mr. Bosco, aye; Mr. Quinn, aye; Mr. Sullivan, aye; Ms. Salomon, 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: December 4, 2019

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Deborah Arbolino
Administrative Aide

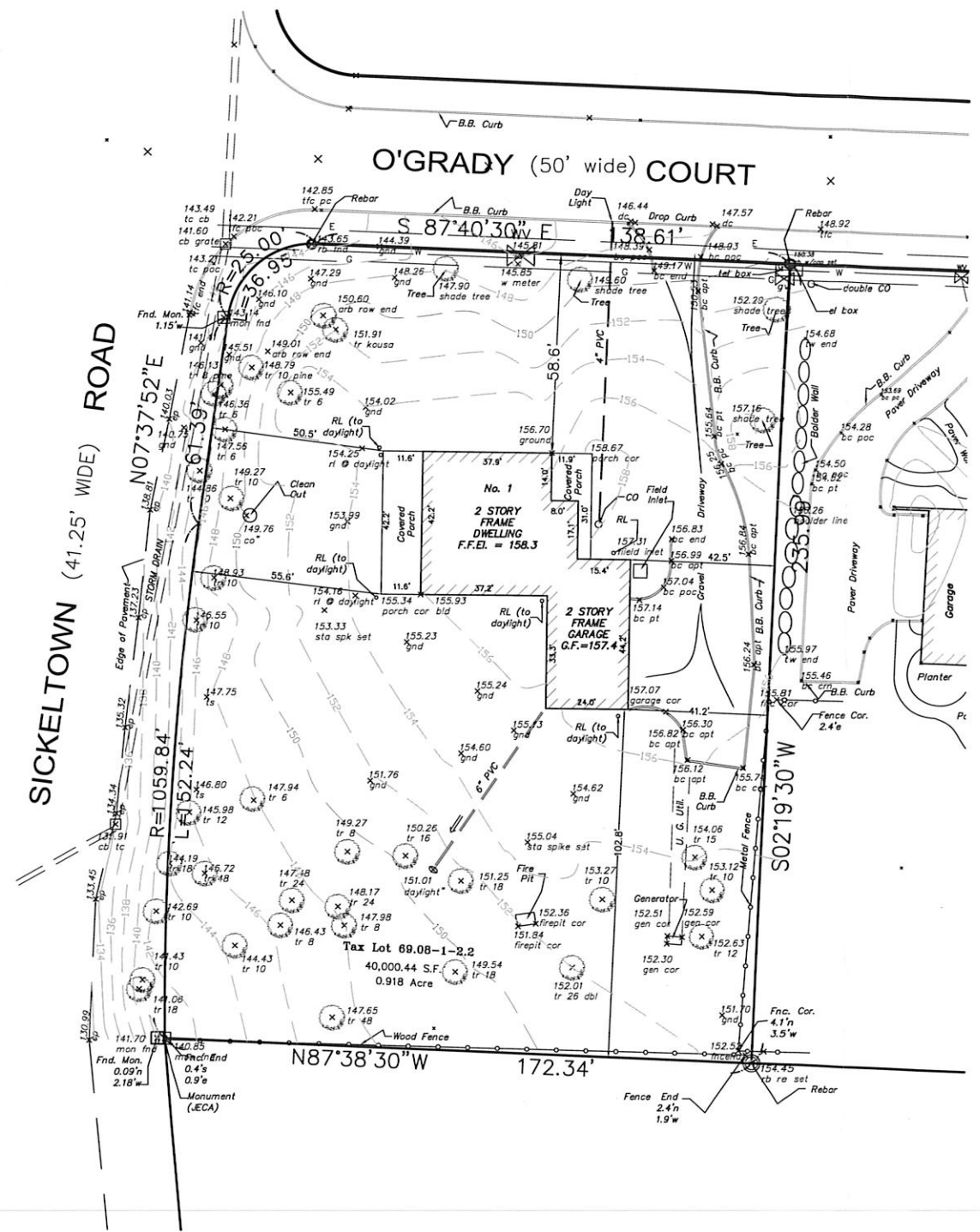
DISTRIBUTION:

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
2019 DEC 10 A 11: 18
TOWN CLERK'S OFFICE

REF: LOT 2.2 BLOCK 1 SEC. 69.08 AS SHOWN ON MAP N° 7814 FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON DEC. 15, 2005 ENTITLED "FINAL PLAT. SICKELS FARM SUBDIVISION".



LEGEND	
BW	- BENCH MARK
CB	- CATCH BASIN
I	- INVERT
MH	- MANHOLE
TC	- TOP CURB
BC	- BOTTOM CURB
EP	- EDGE PAVEMENT
BW	- BOTTOM WALL
TW	- TOP WALL
TS	- TOP SLOPE
BS	- BOTTOM SLOPE
F	- FENCE
FC	- FENCE CORNER
G	- GROUND
FF	- FINISHED FLOOR
IP	- IRON PIN or PIPE
WC	- WALL CORNER
MON	- MONUMENT
000.00	- EXISTING ELEVATION
---	- EXISTING CONTOUR
000.00	- PROP. ELEVATION
---	- PROPOSED CONTOUR
---	- PROP. SWALE
⊙	- PROP. STORM MH
⊙	- PROP. SANITARY MH
⊙	- TEST BORING LOCATION
⊙	- TREE
DATUM - NGVD 1929	

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY.

ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INKED SEAL ARE THE PRODUCT OF THE LAND SURVEYOR.

THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSE AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT.

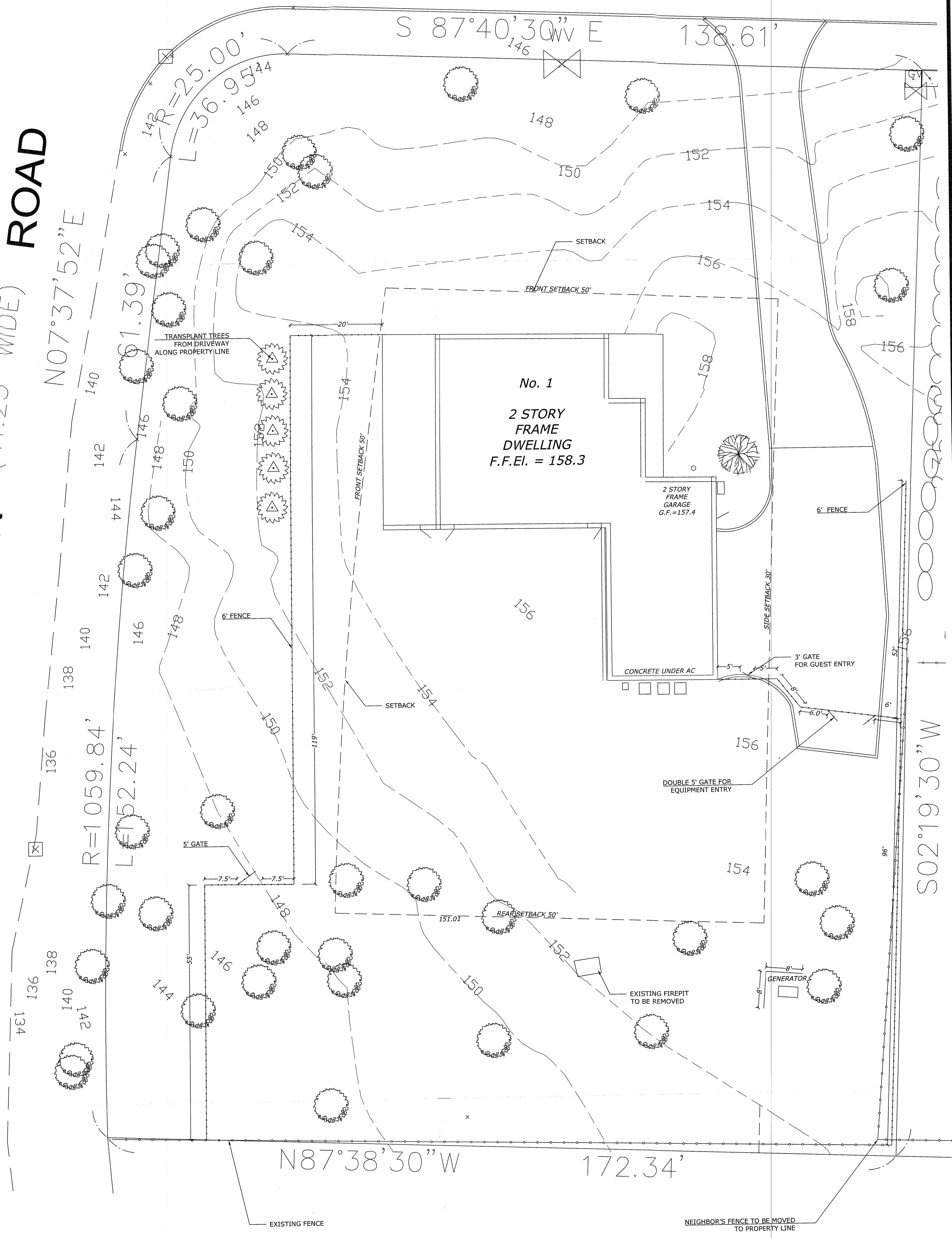
SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE REPORT.

THIS SURVEY IS CERTIFIED TO BE CORRECT AND ACCURATE.

BOUNDARY & TOPOGRAPHIC SURVEY		
ADDITIONS	1 O'GRADY COURT SITUATED IN THE TOWN OF ORANGETOWN ROCKLAND COUNTY, N.Y.	DRAWN BY I.G.
04-18-22-Topo	COLLAZUOL ENGINEERING & SURVEYING ASSOC., LLC PROFESSIONAL ENGINEERS & LAND SURVEYORS 1610 CENTER AVENUE FORT LEE, NEW JERSEY 201- 944-7774	CALC. BY I.G.
	120 1/2 NO. BROADWAY NYACK, NEW YORK 845- 358-1510	SCALE 1" = 30'
	STEVEN J. COLLAZUOL PROFESSIONAL ENGINEER AND LAND SURVEYOR NEW YORK LS LICENSE No. 49882	DATE 07-01-2021
		FILE No. 10,337-C
		SHEET No. 1 OF 1

O'GRADY (50' wide) COURT

SICKELTOWN (41.25' WIDE) ROAD



- NOTES:
- TOTAL LINEAR FEET OF 6' HIGH FENCE = 372'
 - (3) GATES IN FENCE; (1) @ 3'; 1 @ 5'; DOUBLE @ 5'
 - 214.4 LINEAR FEET OF FRONT YARD FENCE IS OVER SETBACK
 - TOTAL LINEAR FEET OF 4' HIGH FENCE AROUND GENERATOR = 16'

PLANNING BOARD OF ORANGEBURG
 FEB 15 2023
 Town Of Orangetown