

ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(914) 359-8410 (ex. 4331)

Date: November 6, 2023

TO: OBAPAE

- | | |
|--|----------------------------|
| Environmental Management and Engineering | ✓ Rockland County Drainage |
| ✓ Rockland County Sewer District #1 | ✓ Rockland County Health |
| New York State Dept. of Transportation | ✓ Rockland County Planning |
| Palisades Interstate Park Commission | ✓ Rockland County Highway |
| Orange and Rockland Utilities | |
| Orangetown Highway | |

Review of Plans: Gavin Dillion Properties LLC: Thomas Nittoli, 231 Sickletown Road,
Orangetown, NY
Section 69.08 Block 1 Lot 25 R-40 zone

This matter is scheduled for:

Chapter 43, Section 3.12, R-40 District, Group E, Column 8 (Front Yard: 30' required, 11' proposed) for an entry gate at an existing single-family residence.

Please review the information enclosed and provide comments. These comments may be mailed, e-mailed or faxed to the Zoning Board Office.

If your Agency does not have any comments at this time, please respond to this office by sending back this sheet.

- US Postal: 20 South Greenbush Road, Orangeburg, NY 10962
- Email to Zoning Board: darbolino@orangetown.com or
- Fax to the Town of Orangetown ZBA @845 359 8526

Zoning Board Meeting Date: December 6, 2023

- Comments attached
- No Comments at this time. Please send future correspondence for review.
- No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.
- This project is out of the jurisdiction of this agency and has no further comments.

This project is before the Zoning Board on **Wednesday, December 6, 2023**. **Kindly forward your completed review to this office by December 6, 2023.**

Reviewing Agency _____

Name _____ date: _____



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

REFERRAL TO THE ZONING BOARD OF APPEALS

Date: October 16, 2023 Section: 69.08 Block: 1 Lot: 25

Applicant: Nittoli

Address: 231 Sickletown Rd, Orangetown, NY

RE: Application Made at: same

Referred For:

Chapter 43, Table 3.12 R-40 District, Column 8 Front Yard 30' with 11' proposed

1 Variance required




Comments:

Front Entry Gate

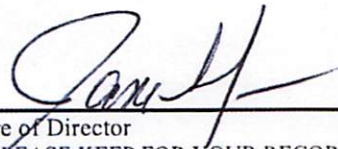
Dear Nittoli:

Please be advised that the Building Permit Application # p23-4035, which you submitted on September 19, 2023, has been referred to the Town of Orangetown Zoning Board of Appeals. The Clerk to the Zoning Board of Appeals, Debbie Arbolino, can assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4331 or darbolino@orangetown.com.

Sincerely,


Richard Oliver
Deputy Building Inspector

10/16/23



10-19-23

Signature of Director
NOTE: PLEASE KEEP FOR YOUR RECORDS
1-30-2023

Date
Liz DeCort
Debbie Arbolino

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

Please check all that apply:

<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential
<input checked="" 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 type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: BLDR-4035-23
ASSIGNED
INSPECTOR: DOM

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

Project Name: Nittoli
231 SICKLETOWN RD. FRONT ENTRY GATE

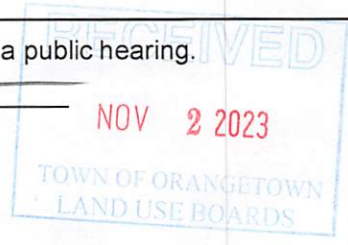
Street Address: 231 SICKLETOWN RD., ORANGEBURG,
NY 10962

Tax Map Designation:
Section: 69.08 Block: 1 Lot(s): 25
Section: _____ Block: _____ Lot(s): _____

Directional Location:
On the SOUTHEAST side of 231 SICKLETOWN ROAD, approximately 50 feet FROM of the intersection of SICKLETOWN & TUNNEL in the Town of ORANGEBURG in the hamlet/village of ORANGETOWN
Acreage of Parcel 2.05 Zoning District ORANGETOWN
School District PEARL RIVER Postal District WESTNYACK
Ambulance District NANJET COMMUNITY Fire District BLAUVELT
Water District SPRING VALLEY Sewer District ROCKLAND COUNTY

Project Description: (If additional space required, please attach a narrative summary.)
CONSTRUCT MASONRY PIERS (2) AND INSTALL IRON GATE.

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
Date: 10/24/2023 Applicant's Signature: [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? N/A
- 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 89298
- 2) Total square footage 89298 (2.05 ACRES)
- 3) Number of dwelling units 1

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

N/A

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area NO

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

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

NO

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

Clerk of Boards Review:
Date: _____ Initials: _____

Building Dept. (Accepted By):
Date: _____ Initials: _____

ENTITY DISCLOSURE FORM

TOWN OF ORANGETOWN
Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE)
20 Greenbush Road
Orangeburg, New York 10962
Tel: (845) 359-8410
Website: www.orangetown.com

THIS FORM MUST ACCOMPANY ALL LAND USE APPLICATIONS SUBMITTED BY AN ENTITY AS DEFINED IN CHAPTER 43, ARTICLE 16 OF THE TOWN CODE OF THE TOWN OF ORANGETOWN.

PROJECT NAME: Nittoli
PROPERTY ADDRESS: 231 Sickletown Rd
TAX LOT ID: 69.08 - 1 - 25
NAME OF APPLICANT: THOMAS NITTOLI
OWNER OF PROPERTY: SARAH & THOMAS NITTOLI
Land Use Application/Brief Description of Project: Front entry gate



PART ONE:

1. Pursuant to Section Chapter 43, Article 16 of the Town Code, the disclosure of the names and address of all persons or entities owning any interest or controlling position of any limited liability company, limited liability partnership, general or limited partnership, professional corporation, joint venture, doing business as name or venture, association, business trust, or non-publically traded corporation, (hereinafter referred to as the "Entity") is required when filing a land-use application.
2. Set forth the names of all members, officers, shareholders, directors, partners or other authorized persons of the Entity for the past year from the date of filing of any land-use board application.
3. Attach a copy of all Entity documents filed with the NYS Secretary of State, or in any other State of formation, including:
 - a. All records regarding membership interests in the Entity;
 - b. Records regarding the transfer of membership interests since the date of formation.
4. If a member of the Entity is not a natural person, please provide the name(s) and address(es) for the of the non-natural person member of that Entity, and provide the formation filing documents for such Entity.
5. Provide supplemental sheets if the information does not fit below; (kindly label the supplemental sheets).

PART THREE:

- 10. Is any person identified in Part TWO currently employed by or hold a paid or unpaid position with a department, agency or land use board of the Town of Orangetown? Please circle: YES NO
- 11. Is any person identified in PART TWO the spouse, sibling, parent, child, or grandchild of any individual who is employed by or holds a paid or unpaid position with a department, agency or land use board of the Town of Orangetown? Please circle: YES NO
- 12. Does any person identified in PART TWO perform services for or have a contract, or employed by an entity that has a contract to perform services for the Town of Orangetown? Please circle: YES NO
- 13. If the answer is "YES" to any of the above, please provide a supplement sheet and list every Board, Department, Office, agency or other position with the Town of Orangetown in which the party has a position, paid or unpaid, or provides services for, and identify the agency, title and date of hire.

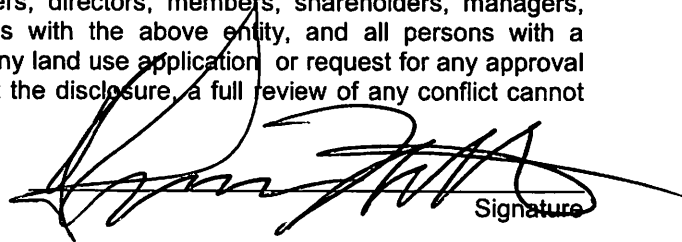
N/A

PART FOUR:

- 14. The information contained herein shall be updated with the Clerk of the Boards no later than THIRTY (30) DAYS after any change in information.
- 15. **NOTE: Any person who (a) provides false or fraudulent beneficial ownership information; (b) willfully fails to provide complete or updated information; or (c) during the application process, fails to obtain or maintain credible, legible and updated beneficial ownership information shall be subject to suspension of any pending application by the applicant entity, or a "stop work" order on any work relating to the application, or both, in addition to any other applicable penalties under the Town Code, or State and Federal Statute, or both.**

STATE OF NEW YORK)
) ss.:
 COUNTY OF ROCKLAND)

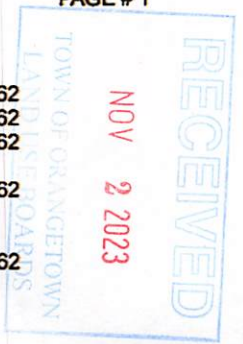
I, THOMAS NITTOLE, being duly sworn, deposes and says that I am (Title) OWNER/MEMBER, an active or qualified member of the GAVIN DILLON PROPERTIES, LLC a business duly authorized by law to do business in the State of New York, and that the statements made in the foregoing Affidavit are true, accurate and complete. I further understand that Land Use Applications may have a significant impact upon the health, safety and general welfare of the Town of Orangetown and its inhabitants and visitors; and that the Town Board is required to be certain that anyone with an interest or controlling position of an Entity, who applies for any land use approval or permission must have no conflict of interest as that term is described in NYS Town Law, as well as NYS General Municipal Law, and that the disclosure of any officers, directors, members, shareholders, managers, authorized persons, beneficial owners, any other controlling parties with the above entity, and all persons with a membership or voting interest in the entity is required to be made in any land use application or request for any approval from the Town, to be certain no conflict of interest exists and without the disclosure, a full review of any conflict cannot take place.


 Signature

Sworn to and subscribed in my presence
 This 3 day of November, 2023
Virginia Raymond
 NOTARY PUBLIC

VIRGINIA M. RAYMOND
 NOTARY PUBLIC, STATE OF NEW YORK
 Registration No. 01RA622832
 Qualified in Rockland County
 Commission Expires July 20, 2026

SWIS	PRINT KEY	NAME	ADDRESS
392489	69.08-1-16	James C O'Sullivan	1 Abbey Rd,Orangeburg, NY 10962
392489	69.08-1-19	Richard Yanitelli	216 Sickletown Rd,Orangeburg, NY 10962
392489	69.08-1-22.1	Francesco Rinaldi	203 Sickletown Rd,Orangeburg, NY 10962
392489	69.08-1-22.2	Salvatore M Rinaldi	207 Sickletown Rd,Orangeburg, NY 10962
392489	69.08-1-24	Lawrence M Bates	6 Rolyn Hills Dr,Orangeburg, NY 10962
392489	69.08-1-25	Gavin Dillon Properties LLC	231 Sickletown Rd,Orangeburg, NY 10962
392489	69.08-1-26	James J O'Connell	5 Rolyn Hills Dr,Orangeburg, NY 10962
392489	69.08-1-27	Rolyn Hills Group LLC	4 Rolyn Hills Dr,Orangeburg, NY 10962
392489	69.08-1-28	Jason R Worob	235 Sickletown Rd,Orangeburg, NY 10962
392489	69.08-1-29	Ean Bauer	2 Rolyn Hills Dr,Orangeburg, NY 10962
392489	69.08-1-30	J Deane Houser	1 Rolyn Hills Dr,Orangeburg, NY 10962



DECISION

**SIDE YARD and TOTAL SIDE YARD VARIANCES APPROVED with
CONDITION**

To: Rod Greenwood and Victoria Hertz
231 Sickletown Road
Orangeburg, New York 10962

ZBA # 00-31
Date: 4/5/00

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

Re: Application of Rod Greenwood and Victoria Hertz for variances from Section 3.12, R-40 District, Group M, Columns 9 (Side Yard: 30' required, 21.9' proposed) and 10 (Total Side Yard: 80' required, 57.1' proposed), for an addition to an existing single family dwelling. Premises are located at 231 Sickletown Road, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 69.08, Block 1, Lot 25; R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at meetings held on Wednesday, April 5, 2000 and April 6, 2000 at which time the Board made the determination hereinafter set forth.

Rod Greenwood and Barry Terach, architect, appeared and testified.

The following documents were presented:

1. Architectural plans signed and sealed by Barry Terach dated 2/16/00.
2. Site Plan and Zoning Analysis signed and sealed by Barry Terach dated 2/16/00.
3. Correspondence to the Town of Orangetown Zoning Board of Appeals from Merle Mammato, Principal Engineering Technician, County of Rockland, Department of Highways dated March 10, 2000.

Rod Greenwood testified that he and his wife have two children aged 8 and 5 and two dogs; that they want to live in this area; that the addition will include a family room, mud room and two bedrooms; that his mother and mother-in-law reside in England and California, respectively, and require space to house them during their visits; that their land was subdivided two years prior to their 1994 purchase; and that since the time of their acquisition the garden was restored and the chicken coop removed.

Barry Terach, architect, testified that the house was restored in the 1980's, for which the Rockland Historical Society presented them with an award; that the restoration maintained the structure's original sandstone front and true form; that they plan to utilize the brick removed from the chimney in the proposed addition; that the gable roof affords only length wise additions; and that the house is subordinate to the Rodi's house, which does not have windows on that side of the dwelling; that the size of the proposed addition has been reduced to the minimum the applicants require.

TOWN CLERKS OFFICE

00 MAY -2 10 10

TOWN OF ORANGETOWN

Public Comment:

Bart Rodi, abutting neighbor, 5 Rolyn Hill Drive, Orangeburg, New York, stated that he is an engineer in the county and that he had seen additions of the type in the form of a reverse gable into the rear of the property; that the applicant is requesting a variance of 25% for the total side yard and 33% for the side yard; that the previous owner worked with the developers on the subdivision because she wanted access to her property from the new road; that the structure is 36' from the property line; and that he plans to install windows on the south west side of his house.

The board members made a personal inspection of the premises on Sunday, April 2, 2000 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.

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing the documents presented, the Board found that:

1. The requested variances would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The variances are not insubstantial, but the lot is very oddly shaped
2. Applicants have committed to use as much sandstone as practicable to cause the additional construction to conform to the Dutch Colonial appearance of the existing structure.
3. Construction of the additional space to the rear rather than each side of the dwelling would be aesthetically less attractive.
4. The requested variance would have no adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

TOWN CLERKS OFFICE

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TOWN OF ORANGETOWN

DECISION: In view of the foregoing and the testimony and documents presented to the board, the application is APPROVED with the SPECIAL CONDITION that sandstone be utilized on the façade of the new structures as indicated on the architectural plans presented to the Board dated 2/16/00, with no different materials to be used without the prior approval of the Zoning Board of Appeals.

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 these conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any buildings 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 the 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 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; it being clearly understood and agreed that the mere obtaining of a Building Permit does not constitute "substantial implementation" for the purposes hereof.

TOWN CLERKS OFFICE

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TOWN OF ORANGETOWN

Rod Greenwood and Victoria Hertz
ZBA # 00-31
Page 4 of 4

The foregoing resolution to approve the application for the variances as conditioned was presented and moved by Mr. Filippone, seconded by Mr. Munno, and carried as follows: Mr. Filippone, aye; Mr. Munno, aye; Mr. Visalli, aye; and Mr. Duffy, 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: April 5, 2000

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
LYNN GREENE
ADMINISTRATIVE AIDE

DISTRIBUTION:

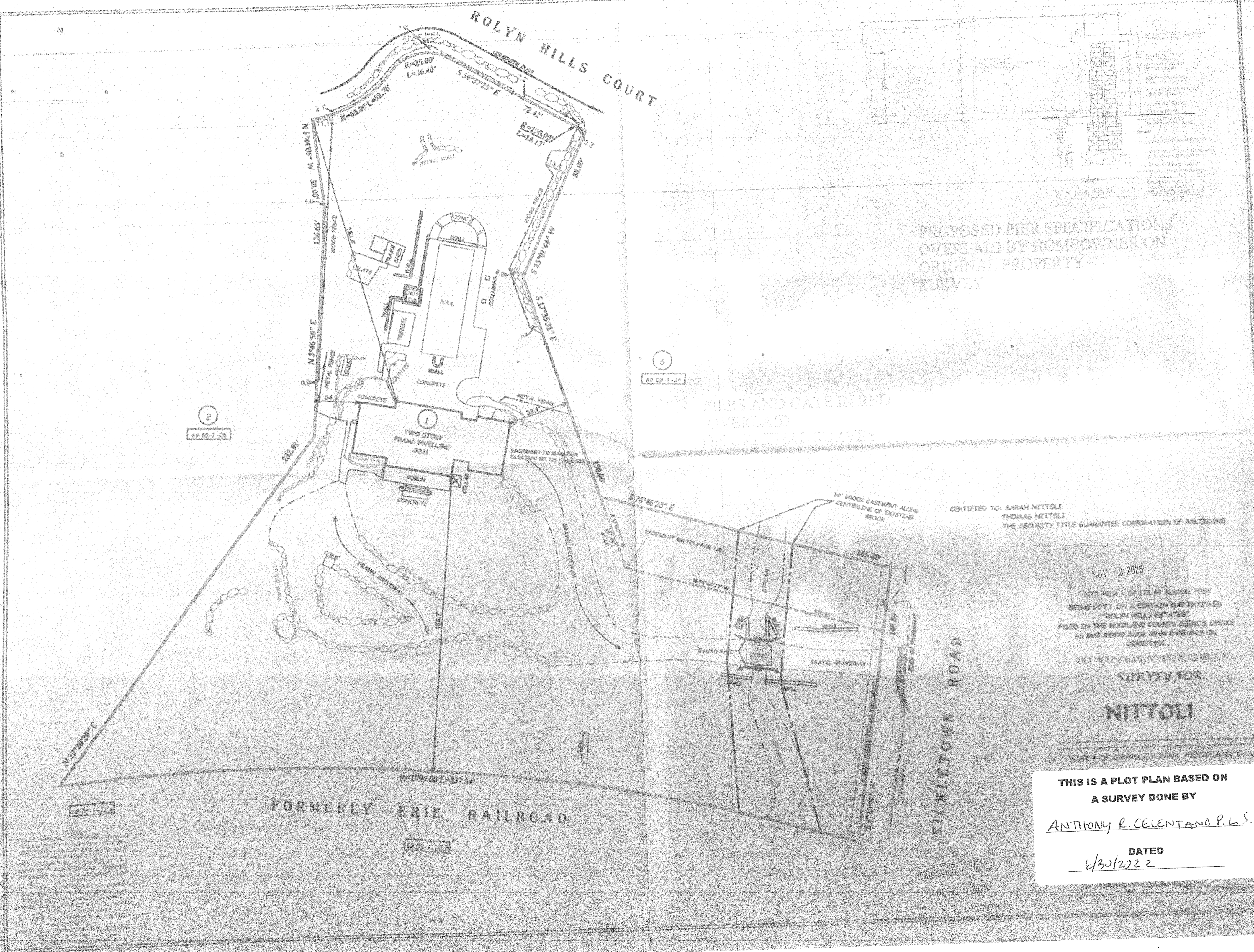
APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR - B.VW.

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

TOWN CLERKS OFFICE

00 MAY -2 A9:10

TOWN OF ORANGETOWN



PROPOSED PIER SPECIFICATIONS
OVERLAID BY HOMEOWNER ON
ORIGINAL PROPERTY
SURVEY

PIERS AND GATE IN RED
OVERLAID
ON ORIGINAL SURVEY

CERTIFIED TO: SARAH NITTOLI
THOMAS NITTOLI
THE SECURITY TITLE GUARANTEE CORPORATION OF BALTIMORE

RECEIVED
NOV 2 2023
PLOT AREA: 28,475 SQ. FEET
BEING LOTT ON A CERTAIN MAP ENTITLED
"ROLYN HILLS ESTATES"
FILED IN THE ROCKLAND COUNTY DEPT'S OFFICE
AS MAP SHOWS BOOK 1628 PAGE 122 ON
ORIGINAR.
THIS MAP DESIGNATION IS MADE BY
SURVEY FOR
NITTOLI

THIS IS A PLOT PLAN BASED ON
A SURVEY DONE BY
ANTHONY R. CELENTANO P.L.S.
DATED
6/30/2022

RECEIVED
OCT 10 2023
TOWN OF ORANGETOWN
BUILDING DEPARTMENT

NOTICE: THIS IS A PLOT PLAN BASED ON A SURVEY DONE BY ANTHONY R. CELENTANO P.L.S. ON 6/30/2022. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO APPARENT ERRORS OR OMISSIONS. HOWEVER, THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE SURVEY OR THE INFORMATION CONTAINED HEREIN. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY BE FOUND IN THE FUTURE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY HIMSELF OR HERSELF. THE SURVEYOR IS NOT A PROFESSIONAL ENGINEER OR ARCHITECT. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL SOCIETY. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL BOARD. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL ASSOCIATION. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL ORGANIZATION. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL INSTITUTE. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL SOCIETY. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL BOARD. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL ASSOCIATION. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL ORGANIZATION. THE SURVEYOR IS NOT A MEMBER OF ANY PROFESSIONAL INSTITUTE.