

ZONING BOARD OF APPEALS

Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-8410 (ex. 4316)

Date: April 21, 2025

TO: OBAPAE

✓ NYS Dept of Environmental Conservation	✓ Rockland County Drainage
✓ New York State Dept. of Transportation	✓ Rockland County Health
Palisades Interstate Park Commission	✓ Rockland County Planning
NYS Thruway Authority	✓ Rockland County Highway
ACOE	✓ Rockland County Sewer Dstrt #1
✓ CSX	✓ Orange and Rockland Utilities
	✓ Veolia

This matter is scheduled for: May 21, 2025

Review of Plans: Gallagher, 73 W Lewis Avenue, Pearl River, New York

Section: 68.12 Block: 1 Lot: 43; RG zone

CONTINUED ITEM:

Chapter 43, RG District, Section 3.12, Group Q, Column 8(Front yard: 25' required, with 23' 10-3/4" proposed), Column 9 (side yard: 10' required, 7' 2- 1/2" proposed), Column 11(rear yard: 25' required, 18' 10-3/4" proposed). From Section 5.227(Accessory structures allowed inside and rear yards, with front yard proposed), and from Section 5.227(Accessory structures in side yard side yard setback: 5' required, with 3.9' proposed) for additions, a shed, and a hot tub at an existing single-family residence. The premises are located at 43 W Lewis Avenue, Pearl River, New York and identified on the Orangetown Tax Map as Section 68.12, Block 1, Lot 43 in the RG zoning district.

Please review the information enclosed and provide comments.

These comments may be mailed, or e-mailed 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: 26 Orangeburg Road, Orangeburg, NY 10962
- Email to Zoning Board: KBettmann@orangetown.com

Zoning Board Meeting Date: May 21, 2025

() 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, May 21, 2025.**

Kindly forward your completed review to this office BEFORE May 21, 2025

Reviewing Agency _____

Name: _____ Date: _____

Signature: _____

Thank you, **Katlyn Bettmann (EXT. 4316)**

RECEIVED

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: MAY 04 2025

TOWN OF ORANGETOWN
LAND USE BOARDS

Please check all that apply:

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

PERMIT#: BLDR-4680-24
ASSIGNED
INSPECTOR: Glenn

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

Project Name: Gallagher

Street Address: 43 W Lewis Ave
Pearl River, NY 10965

Tax Map Designation:

Section: 68.12 Block: 1 Lot(s): 43
Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the West side of Lewis, approximately
10 feet South of the intersection of Rail Road Ave, in the
Town of Orangetown in the hamlet/village of Pearl River.

Acreage of Parcel <u>.15</u>	Zoning District <u>R6</u>
School District <u>Pearl River</u>	Postal District <u>Pearl River</u>
Ambulance District <u>Pearl River</u>	Fire District <u>Pearl River</u>
Water District <u>Verolia</u>	Sewer District <u>Orangetown</u>

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

18 x 32 living room and dining room Addition on side of
existing residence. 8 x 16 front entry mudroom.

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

Date: 8/29/24 Applicant's Signature: [Signature]
4/4/25

RECEIVED
AUG 28 2024
TOWN OF ORANGETOWN
LAND USE BOARDS

RECEIVED

MAY 04 2025

TOWN OF ORANGETOWN
LAND USE BOARDS

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.

ZBA# 24-49 10/16/2024 - continued

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

26 Orangeburg 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: 3.31.25 Section: 68.12 Block: 1 Lot: 43

Applicant: Gallagher

Address: 43 West Lewis Ave. Pearl River, NY

RE: Application Made at: same

Referred For:

Chapter 43, Section 3.12 RG District, Column 8 Front Yrd Setback 25' required w/ 23'10-3/4" proposed, Column 9 Side Yrd Setback 10' required w/ 7' 2-1/2" proposed, Column 11 Rear Yrd Setback 25' required w/ 18' 10-3/4" proposed.

Chapter 43, Section 5.227 Accessory Structures allowed in side and rear yards with front yard proposed. Section 5.227 Accessory structures in side yard requires 5' side yrd setback w/ 3.9' proposed

5 variances required

Comments:

Additions, shed, hot tub

Dear Gallagher:

Please be advised that the Building Permit Application # 4680-25, which you submitted on 2.9.24, has been referred to the Town of Orangetown Zoning Board of Appeals. The Clerk to the Zoning Board of Appeals, Katlyn Bettmann can assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4316 or kbettmann@orangetown.com

Sincerely,

Richard Oliver
Deputy Building Inspector

3/31/25

RECEIVED

APR - 4 2025

**RECEIVED TOWN OF ORANGETOWN
BUILDING DEPARTMENT**

APR 04 2025

**TOWN OF ORANGETOWN
LAND USE BOARDS**

3/31/25

Signature of Director
NOTE: PLEASE KEEP FOR YOUR RECORDS
10-01-2024: emd

Date
CC: Katlyn Bettmann
Elizabeth Decort

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 23, 2024

Orangetown Zoning Board of Appeals
20 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.12-1-43



Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 07/30/2024

Date Review Received: 09/03/2024

Item: *Gallagher - 43 West Lewis Avenue (GML-24-0199)*

A variance application to permit an addition to an existing single-family residence on 0.15 acres in the RC zoning district. Variances are requested for side yard and rear yard.
Northeast corner of West Lewis Avenue and Railroad Avenue

Reason for Referral:
State Route 304

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

Remand for Local Decision

The proposed action is deemed to have no significant county-wide or inter-community impact under New York State General Municipal Law § 239; therefore, the action is a local decision.

- 1 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The Board may have already addressed these point or may disregard them without any formal vote under the GML process:
 - 1.1 The proposed site plan on sheet A-100 is undersized and difficult to read. A full-sized site plan printed in proportion to the scale indicated on the drawing must be submitted for review.
 - 1.2 The required side and rear yard variances must be denoted on the Zoning Information table with an asterisk.

Def 1 Mj

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
NYS Department of Transportation
Rockland County Department of Health
Rockland County Planning Board
Joseph Martin, RA
Brenda and Ara Gallagher

*The review undertaken by the County of Rockland Department of Planning is pursuant to and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B, the County of Rockland does not render opinions nor determine whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Pursuant to New York State General Municipal Law §§ 239-m and 239-n, the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action.

ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(845) 359-8410 (ex. 4316)

Date: September 3, 2024

TO: OBAPAE

- ✓Rockland County Sewer District #1
- ✓New York State Dept. of Transportation
Palisades Interstate Park Commission
- ✓Orange and Rockland Utilities
- ✓Veolia
- ✓CSX

ACOE

- ✓Rockland County Drainage
- ✓Rockland County Health
- ✓Rockland County Planning
- ✓Rockland County Highway
NYS Dept of Environmental
Conservation

This matter is scheduled for: October 16, 2024

Review of Plans: Gallagher, ~~43~~ W Lewis Avenue, Pearl River, New York

Section: 68.12 Block: 1 Lot: 43; RG zone

RG District, Section 3.12, Group Q, Column 9 (side yard: 10' required, 7' 2- 1/2" proposed), Column 11(rear yard: 25' required, 19' 9-1/2" proposed) for an addition at a single-family residence. The premises are located at 43 W Lewis Avenue, Pearl River, New York and identified on the Orangetown Tax Map as Section 68.12, Block 1, Lot 43 in the RG zoning district.

Please review the information enclosed and provide comments. These comments may be mailed, or e-mailed 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: KBettmann@orangetown.com

Zoning Board Meeting Date: October 16, 2024

☐ 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, October 16, 2024.** Kindly forward your completed review to this office by **October 16, 2024.**

Reviewing Agency Rockland County Highway Department

Name: Dyan Rajasingham Date: 09.03.24

Signature: [Signature]
Thank you, Katlyn Bettmann





ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(845) 359-8410 (ex. 4316)

Date: September 3, 2024

TO: OBAPAE

- ✓ Rockland County Sewer District #1
- ✓ New York State Dept. of Transportation
Palisades Interstate Park Commission
- ✓ Orange and Rockland Utilities
- ✓ Veolia
- ✓ CSX

ACOE

- ✓ Rockland County Drainage
- ✓ Rockland County Health
- ✓ Rockland County Planning
- ✓ Rockland County Highway
- NYS Dept of Environmental
Conservation

This matter is scheduled for: **October 16, 2024**

Review of Plans: Gallagher, ~~43~~ ⁴⁵ W Lewis Avenue, Pearl River, New York

Section: 68.12 Block: 1 Lot: 43; RG zone

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

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- US Postal: 20 South Greenbush Road, Orangeburg, NY 10962
- Email to Zoning Board: KBettmann@orangetown.com

Zoning Board Meeting Date: October 16, 2024

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- ☐ No Comments at this time. Please send future correspondence for review.
- X ☒ 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, October 16, 2024**. Kindly forward your completed review to this office by **October 16, 2024**.

Reviewing Agency Veolia

Name: Bill Prehoda Date: 10/10/24

Signature: Bill Prehoda

Thank you, Katlyn Bettmann

ROCKLAND COUNTY SEWER DISTRICT No. 1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

October 16, 2024

Ms. Katlyn Bettmann
Town of Orangetown Zoning Board of Appeals
20 South Greenbush Road
Orangeburg, NY 10962

Re: Gallagher Residence Addition
43 West Lewis Avenue, Pearl River
Tax Lot 89/68.12-1-43 (formerly 40-11-58.1)



Dear Ms. Bettmann:

Our office has received and reviewed a site plan that was last revised on July 30, 2024, which Joseph Martin, RA prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Rockland County Sewer District No. 1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District. We request no future correspondence for this site.

Please inform us if any developments in this project change to affect the District. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Nicholas King
Engineer I

cc: M. Saber M. Dolphin
Jake Palant – Rockland County Department of Planning

File: TOO 68.12-1-43 – 43 West Lewis Avenue
Reader

ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(845) 359-8410 (ex. 4316)

Date: September 3, 2024

TO: OBAPAE

Rockland County Sewer District #1
New York State Dept. of Transportation
Palisades Interstate Park Commission
Orange and Rockland Utilities
Veolia
CSX

ACOE

Rockland County Drainage
Rockland County Health
Rockland County Planning
Rockland County Highway
NYS Dept of Environmental
Conservation

This matter is scheduled for: October 16, 2024

Review of Plans: Gallagher, ⁴³ W Lewis Avenue, Pearl River, New York

Section: 68.12 Block: 1 Lot: 43; RG zone

RG District, Section 3.12, Group Q, Column 9 (side yard: 10' required, 7' 2- 1/2" proposed), Column 11(rear yard: 25' required, 19' 9-1/2" proposed) for an addition at a single-family residence. The premises are located at 43 W Lewis Avenue, Pearl River, New York and identified on the Orangetown Tax Map as Section 68.12, Block 1, Lot 43 in the RG zoning district.

Please review the information enclosed and provide comments. These comments may be mailed, or e-mailed 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: KBettmann@orangetown.com

Zoning Board Meeting Date: October 16, 2024

☐ 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, October 16, 2024. Kindly forward your completed review to this office by October 16, 2024.

Reviewing Agency _____

Name: _____ Date: _____

Signature: _____

Thank you, Katlyn Bettmann

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

Please check all that apply:	
<input type="checkbox"/> Commercial	<input checked="" 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 checked="" 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-4680-24

ASSIGNED

INSPECTOR: Glenn

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

Project Name: Gallagher

Street Address: 43 W Lewis Ave
Pearl River, NY 10965

Tax Map Designation:

Section: <u>68.12</u>	Block: <u>1</u>	Lot(s): <u>43</u>
Section: _____	Block: _____	Lot(s): _____

Directional Location:

On the West side of Lewis, approximately 10 feet South of the intersection of Rail Road Ave, in the Town of Orangetown in the hamlet/village of Pearl River.

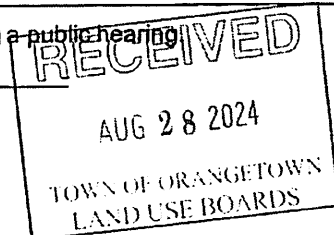
Acreage of Parcel <u>.15</u>	Zoning District <u>R6</u>
School District <u>Pearl River</u>	Postal District <u>Pearl River</u>
Ambulance District <u>Pearl River</u>	Fire District <u>Pearl River</u>
Water District <u>Valia</u>	Sewer District <u>Orangetown</u>

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

18 x 32 living room and dining room Addition on side of existing residence. 8 x 16 front entry mudroom.

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

Date: 8/29/24 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? _____
- 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. _____

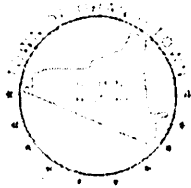
Are there **wetlands** on the site? If yes, please provide the names and type: _____

Project History:

Has this project ever been reviewed before? 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.



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

20 Greenbush Road
Orangetown, N.Y. 10962

Jane Slavin, R.A.
Director

(845)359-8410

Fax: (845) 359-8526

REFERRAL TO THE ZONING BOARD OF APPEALS

Date: 8.6.24 Section: 68.12 Block: 1 Lot: 43

Applicant: Gallagher

Address: 43 W Lewis, Pearl River, NY

RE: Application Made at: same

Referred For:

Chapter 43, RG District, Column 9, Required Side Yard 10' with 7' 2-1/2" proposed. Column 11,
Required Rear Yard 25' with 19' 9-1/2" proposed

2 Variances required

Comments:

Addition

Dear Gallagher:

Please be advised that the Building Permit Application # 4680-24, which you submitted on 2.9.24, has been referred to the Town of Orangetown Zoning Board of Appeals. The Clerk to the Zoning Board of Appeals, Katlyn Bettmann can assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4316 or kbettmann@orangetown.com.


Sincerely,

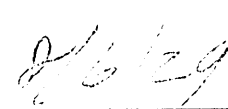

Richard Oliver
Deputy Building Inspector

RECEIVED

AUG 28 2024

TOWN OF ORANGETOWN
LAND USE BOARDS


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


Date
CC: Liz DeConi
Debbie Arbolino

DECISION
SIDE YARD, REAR YARD AND BUILDING HEIGHT VARIANCES
APPROVED

To: Brendan and Ava Gallagher
43 W. Lewis Avenue
Pearl River, New York 10965

ZBA #15-23
Date: March 18, 2015

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#15-23: Application of Brendan Gallagher for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, Section 3.12, RG District, Group Q, Columns 9 (Side Yard: 10' required, 7.2' proposed), 11 (Rear Yard: 25' required, 19.8' proposed) and 12 (Building Height: 9.6' permitted, 15.67' proposed) for an addition to an existing single-family residence. The premises are located at 43 West Lewis Avenue, Pearl River, New York and are identified on the Orangetown Tax Map as Section 68.12, Block 1, Lot 43; in the RG zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, March 18, 2015 at which time the Board made the determination hereinafter set forth.

Brendan Gallagher appeared and testified.

The following documents were presented:

1. Copy of site plan and bulk table not dated. (1 page).
2. Architectural elevation drawings dated 3/5/2013 revised 10/08/2014 by Robert Hoene, Architect.
3. A letter dated February 18, 2015 from the County of Rockland Department of Health signed by Scott McKane, P.E., Senior Public Health Engineer.
4. A letter dated March 6, 2015 from the County of Rockland Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning,
5. A letter dated February 23, 2015 from the County of Rockland Sewer District No.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 Dennis Michaels, 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) (9), (10), (12) and/or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Ms. Castelli, aye; Ms. Salomon, aye; Mr. Feroldi, aye; and Mr. Sullivan, aye. Mr. Quinn and Mr. Bosco were absent.

Brendan Gallagher testified that they are proposing to add a living room and dining room with storage area above it; that they have owned the house for ten years; that they have four children ages 18, 13, 6 and 3; that they need more living space; that similar additions have been constructed in the area; and that the proposed addition is in keeping with the character of the neighborhood.

TOWN CLERKS OFFICE
2015 APR 8 PM 1 03
TOWN OF ORANGETOWN

Public Comment:

No public comment.

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 side yard, rear yard and building height variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar additions have been constructed in the neighborhood.
2. The requested side yard, rear yard and building height variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Similar additions have been constructed in the neighborhood.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.
4. The requested side yard, rear yard and building height variances, 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. . Similar additions have been constructed in the neighborhood.
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
2015 APR 8 PM 1 03
TOWN CLERKS OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the requested side yard, rear yard and building height variances are **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.

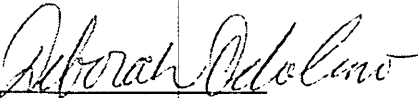
TOWN CLERKS OFFICE
2015 APR 8 PM 1 03
TOWN OF ORANGETOWN

The foregoing resolution to approve the application for the requested side yard, rear yard and building height variances was presented and moved by Mr. Feroldi, seconded by Ms. Castelli and carried as follows: Mr. Sullivan, aye; Mr. Feroldi, aye; Ms. Castelli, aye; and Ms. Salomon, aye. Mr. Quinn and Mr. Bosco were absent.

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: March 18, 2015

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

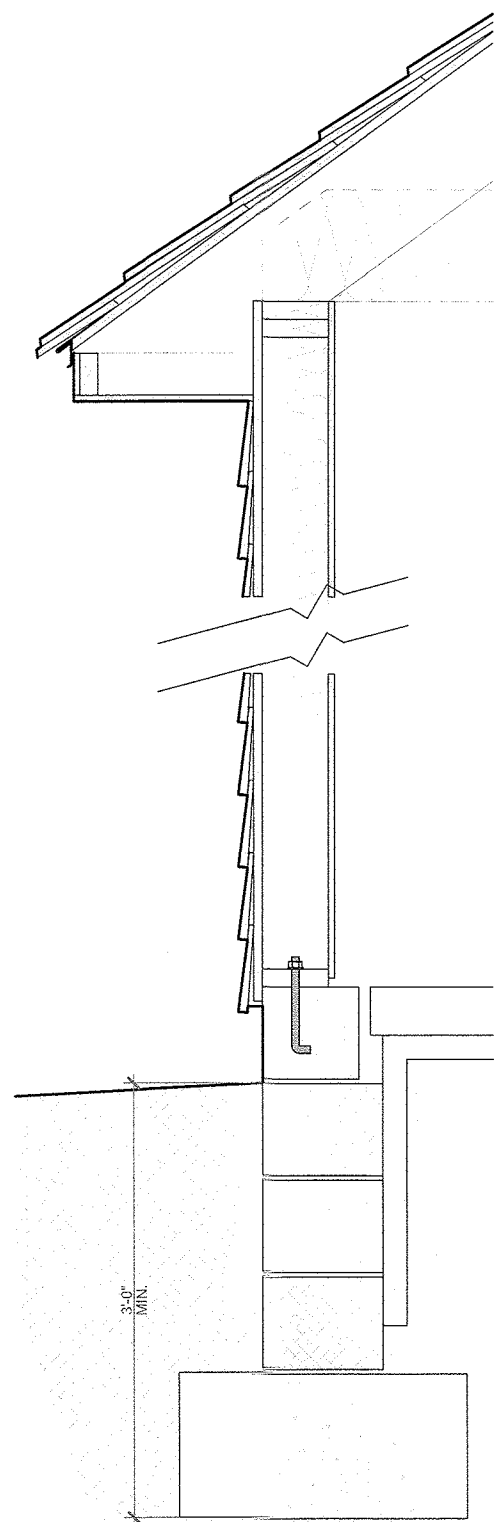
By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

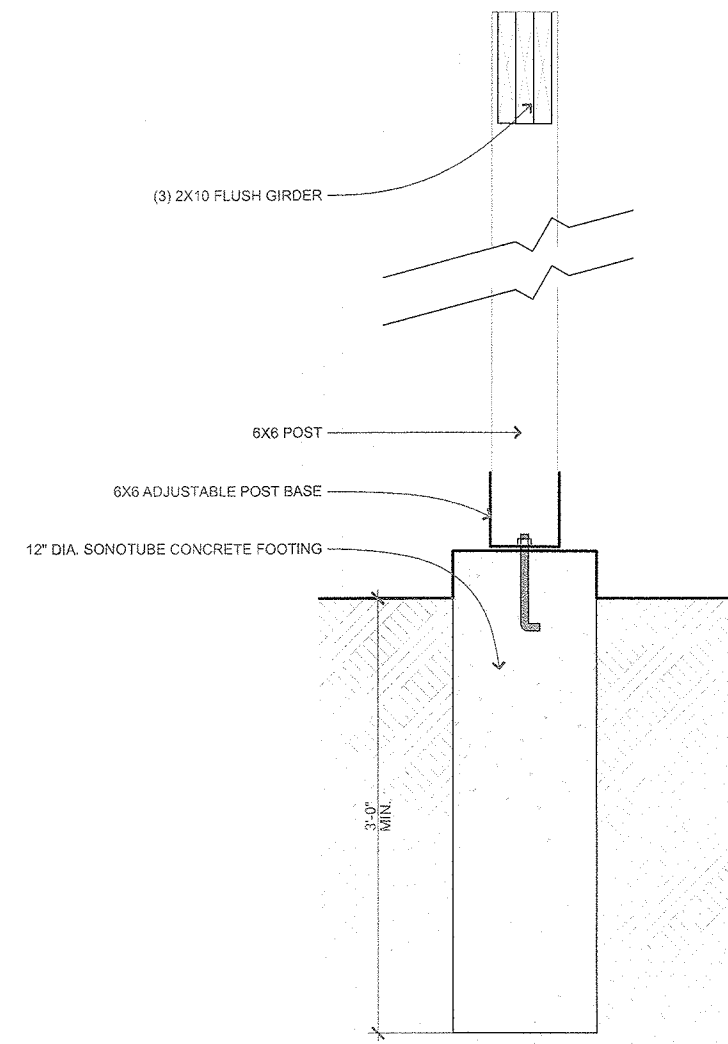
APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR-G.M.

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

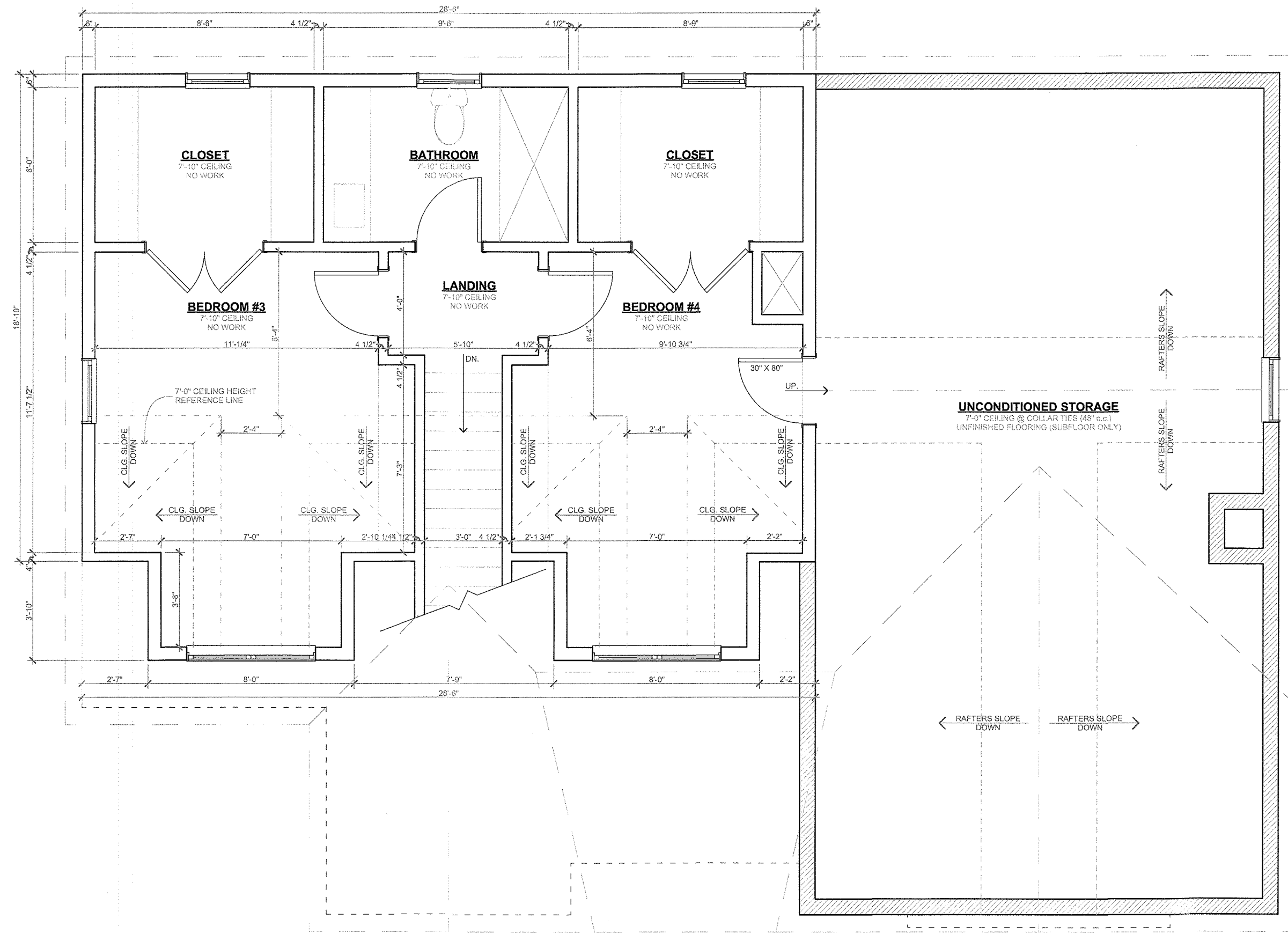
TOWN OF ORANGETOWN
2015 APR 8 PM 1 03
TOWN CLERKS OFFICE



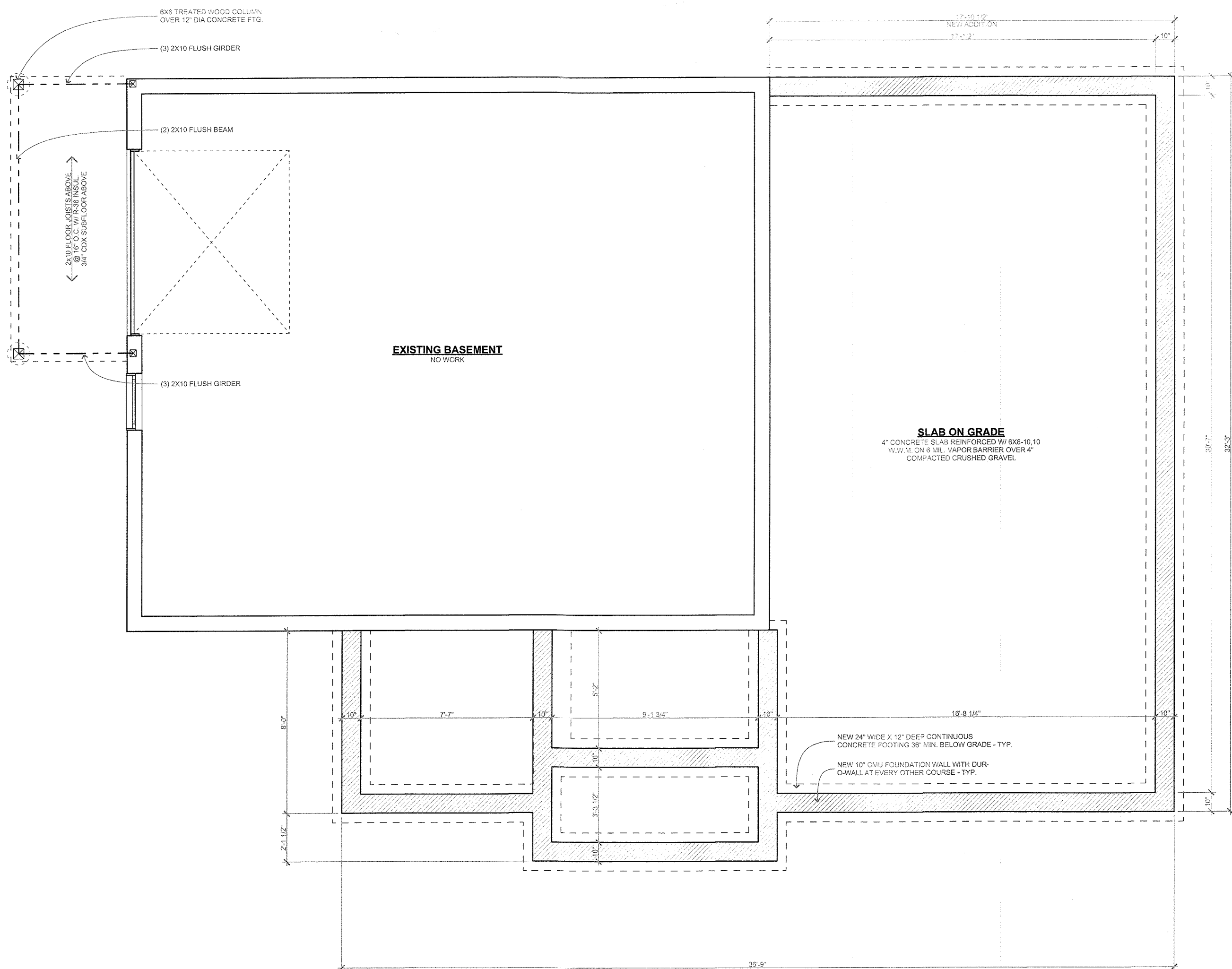
5 TYPICAL WALL SECTION
Scale: 3/4" = 1'-0"



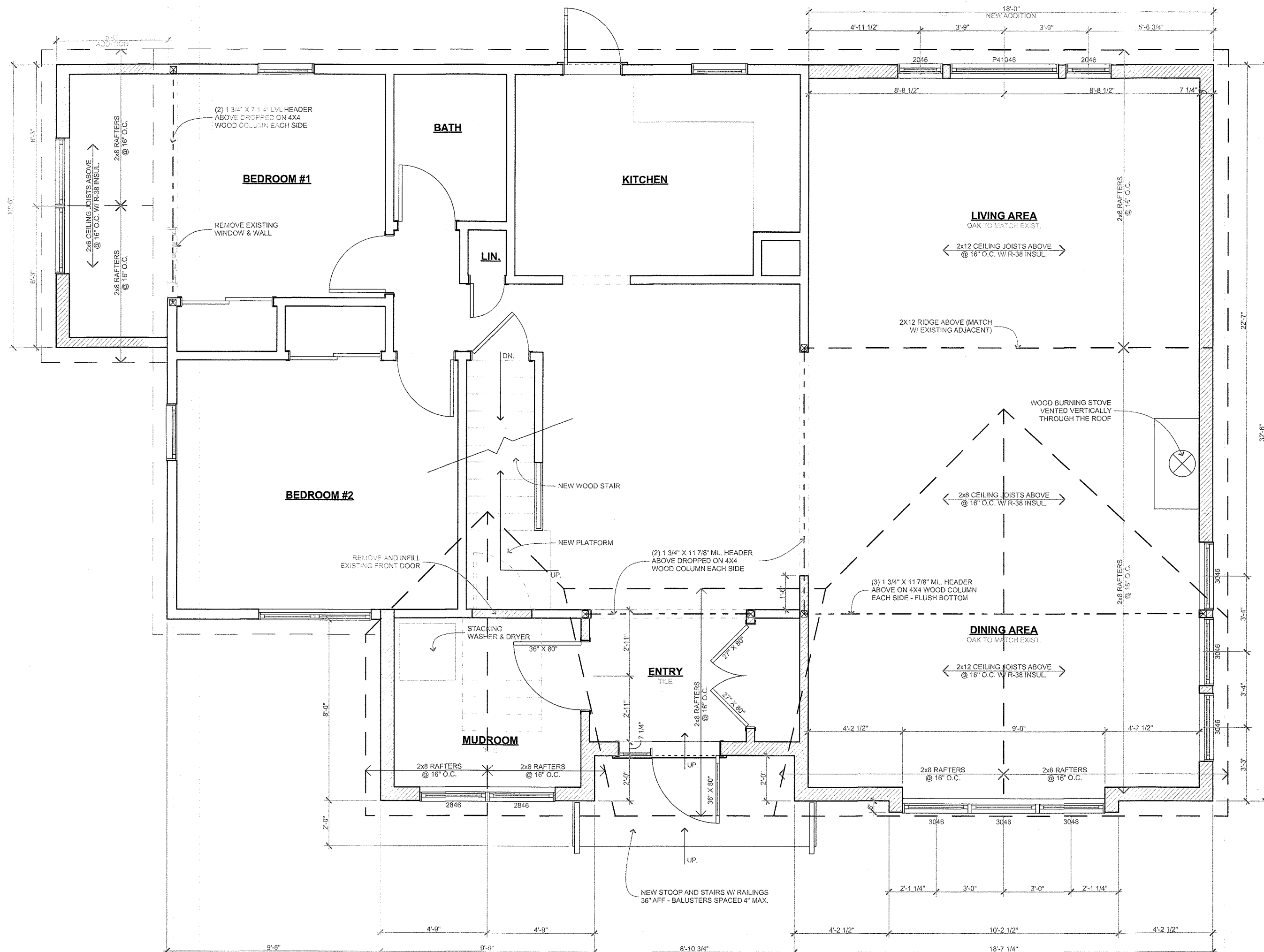
4 COLUMN FOOTING DETAIL
Scale: 3/4" = 1'-0"



3 SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"



1 FOUNDATION PLAN
Scale: 1/4" = 1'-0"



2 FIRST FLOOR PLAN
Scale: 1/4" = 1'-0"

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Private Residence

Gallagher Residence
Owner Info:
Brendan & Ara Gallagher
Private Residence
43 West Lewis Ave. Pearl River NY 10965

Floor Plans

Joseph Martin, RA
63 8th Ave. Suite 3B, Brooklyn, NY 11217
joseph.martin.design@gmail.com
248.894.8374



A-101

Sheet 2 of 3

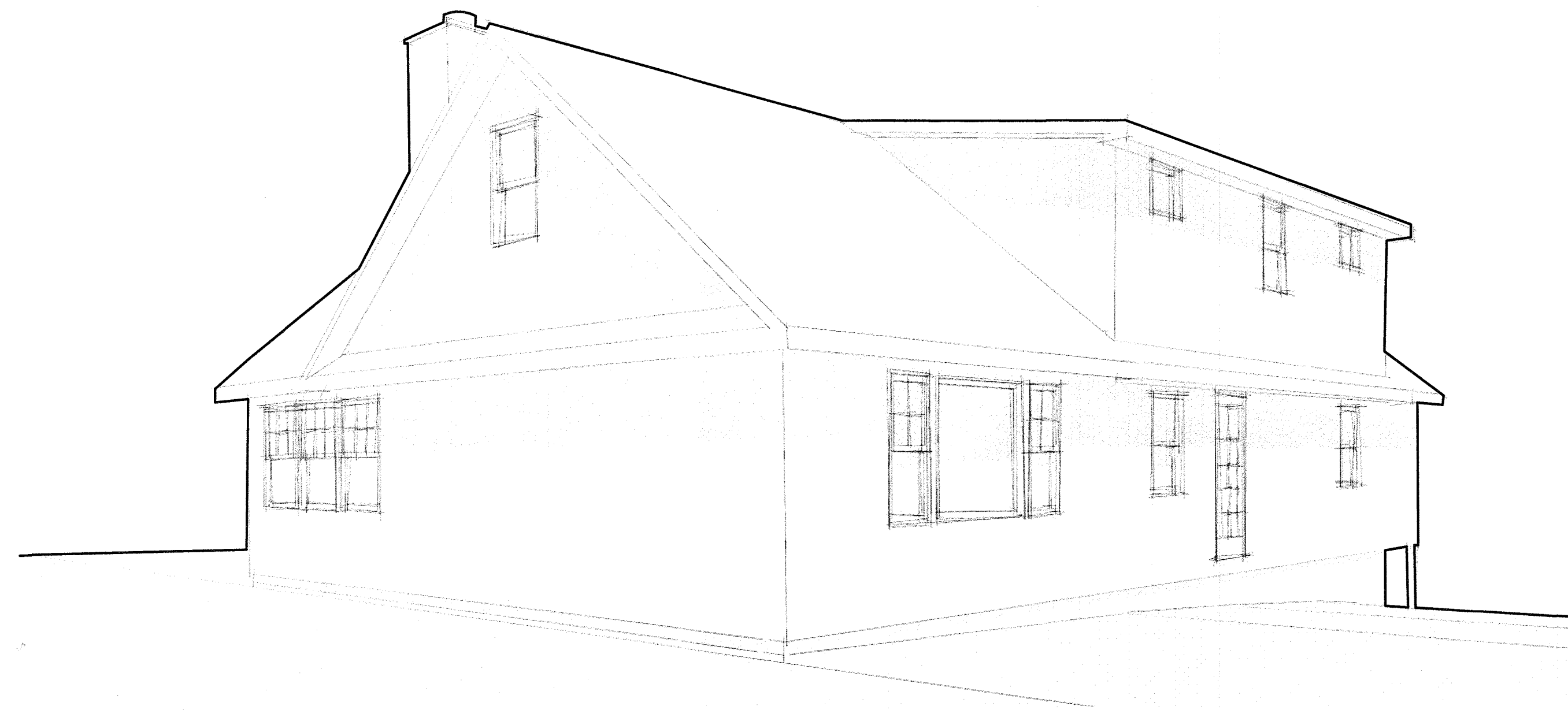
2/4/2025



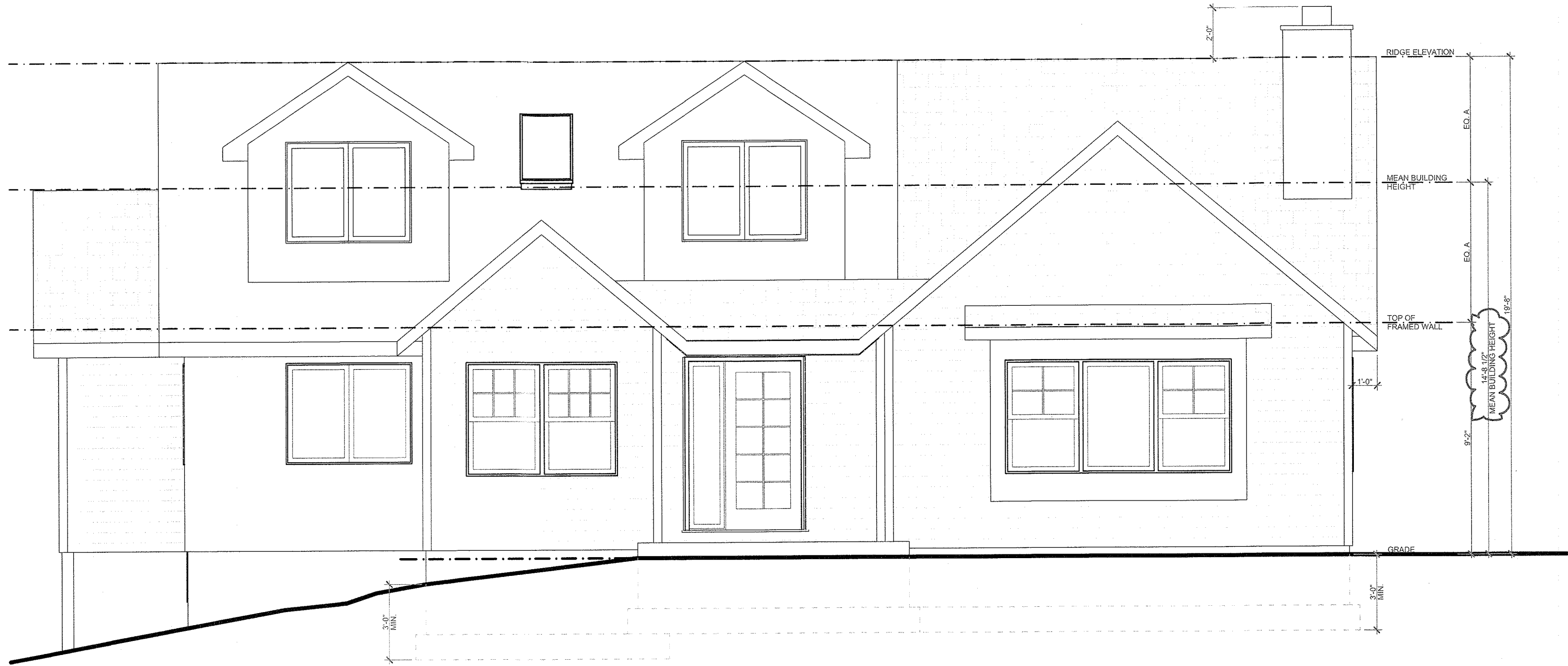
6 SOUTH SKETCH PERSPECTIVE
NOT TO SCALE



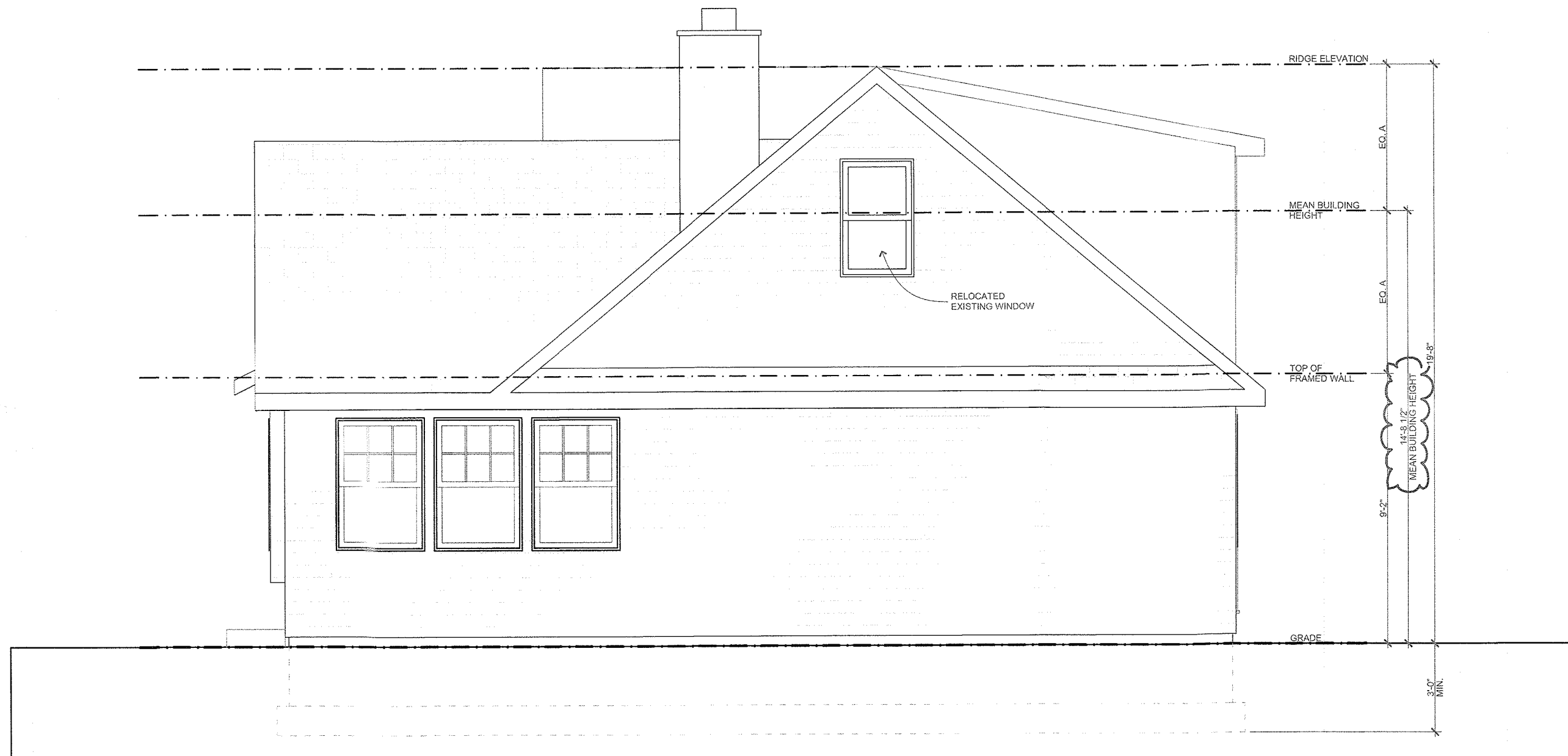
5 SOUTHEAST SKETCH PERSPECTIVE
NOT TO SCALE



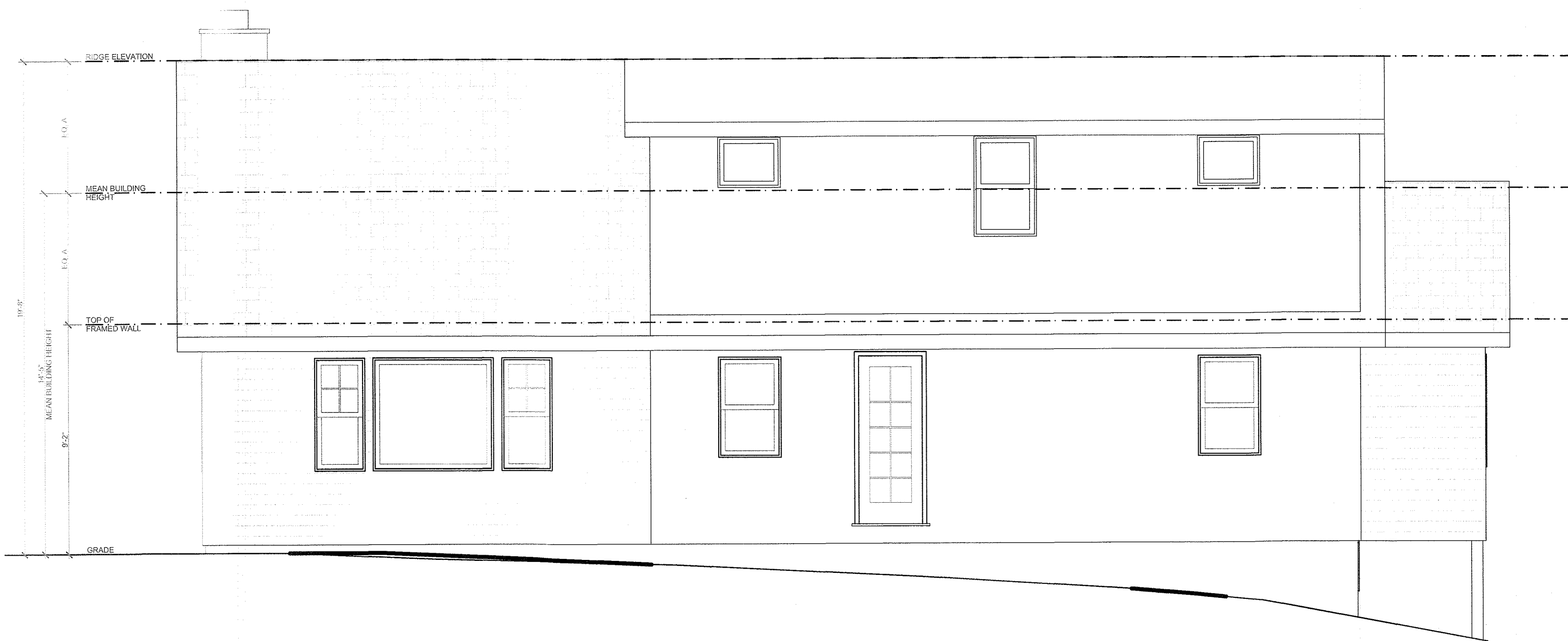
4 NORTHEAST SKETCH PERSPECTIVE
NOT TO SCALE



3 FRONT ELEVATION - PROPOSED
Scale: 1/4" = 1'-0"



2 SIDE ELEVATION - PROPOSED
Scale: 1/4" = 1'-0"



1 REAR ELEVATION - PROPOSED
Scale: 1/4" = 1'-0"

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Private Residence
Gallagher Residence

Owner Info:
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Elevations & Perspectives

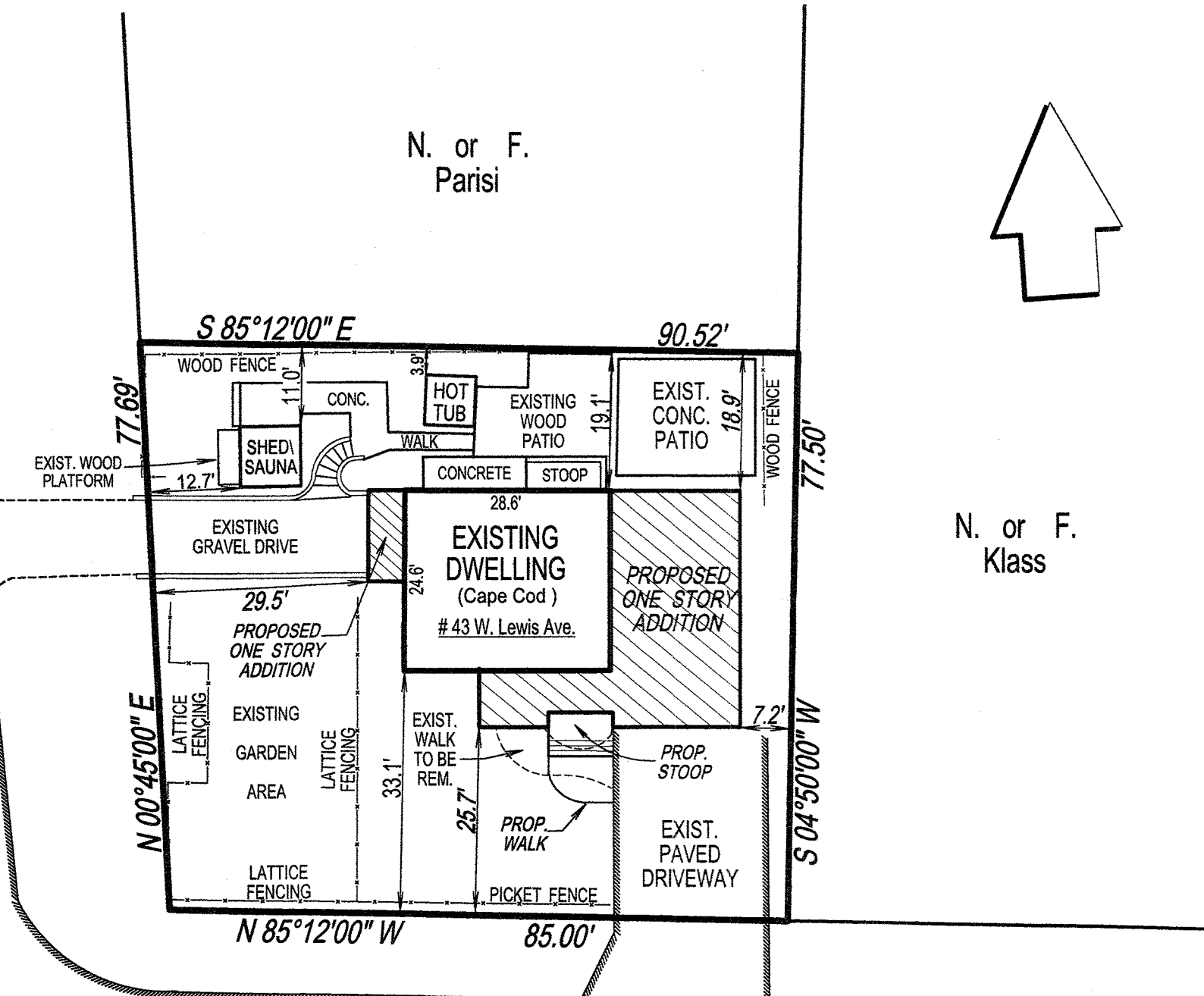
Joseph Martin, RA
63 8th Ave. Suite 3B, Brooklyn, NY 11217
joseph.martin.design@gmail.com
248.894.8374



RAILROAD AVENUE
- 50' WIDE -

EDGE PAVEMENT

- 50' WIDE -



WEST LEWIS AVENUE
- 50' WIDE -



N. or F.
Klass

PROPOSED ADDITION

Land Survey
For

"GALLAGHER"

Pearl River

Town of Orangetown
Scale: 1" = 20'

Rockland County, NY
Area = 0.156 Ac.

October 27, 2003
November 1, 2024 - Revised
November 20, 2024 - Revised

Tax Lot Desig.: Section 68.12 Block 1 Lot 43

Zone RG Bulk Regulations Group Q

Item	Required	Existing	Proposed
Lot Area	10,000 sf	*6,801 sf	No Change
Lot Width	75 ft.	86 ft.	No Change
Street Frontage	50 ft.	162.69 ft.	No Change
Front Yard	25 ft.	33.1 ft.	25.7 ft. 12.7 ft. Shed/Sauna
Side Yard	10 ft.	25.2 ft.	**7.2 ft.
Total Side Yard	30 ft.	N/A Cor. Lot	No Change
Rear Yard	25 ft.	19.1 ft.	**18.9 ft.
Max.F.A.R.	0.30	0.181	0.295 Includes Shed/Sauna
Max Bldg. Height	1 ft. 4" per ft from lot line	7.1" per ft from lot line	9.2" per ft from lot line

* Chapter 43 Sect. 5.21

** Denotes Variance Required

Town of Orangetown
MEETING OF:

MAY 21 2025

ZONING BOARD OF APPEALS

RECEIVED

APR 10 2025

TOWN OF ORANGETOWN
LAND USE BOARDS



Robert E. Sorace, PLS
P.O. Box 605
New City, NY 10956
845-638-1498

Lic. 49162