ZONING BOARD OF APPEALS

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

Date: April 21, 2025

ГО:	OBAPAE		
	NYS Dept of Environmental Conservation		ckland County Drainage
/	New York State Dept. of Transportation		ckland County Health
	Palisades Interstate Park Commission	R	ockland County Planning
	NYS Thruway Authority		ckland County Highway
	ACOE	/ _R	ockland County Sewer Dstrt #1
	CSX	/O:	range and Rockland Utilities
		/ V	eolia

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- ½" 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: <u>KBettmann@orangetown.com</u>

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.

	•	<u>/ednesday, May 21, 2025.</u> his office <i>BEFORE</i> <u>May 21, 20</u>	<u>25</u>
Name:	Date:		
Signature:	- D-44(FVT 4040)		
Signature:	lyn Bettmann (FXT, 4316)		

RECEIVED

Name of Municipality. IOWN OF ORANGETOWN	MAY U 4 2025
	TOWN OF ORANGETOW
Please check all the	at apply: Residential
Zoning Board of Appeals	Historical Board Architectural Board
Subdivision Number of Lots Site Plan Conditional Use Special Permit Variance Performance Standards Review Use Variance Other (specify):	Consultation Pre-Preliminary/Sketch Preliminary Final Interpretation PERMIT#: BLDR - 4680 - 24 ASSIGNED INSPECTOR: Glean Referred from Planning Board: YES / NO If yes provide date of Planning Board meeting:
Project Name: Gallagher	
Street Address: 43 W Cewis A Paar I River, NY I	0965
Tax Map Designation: Section: 68.12 Block: Block: Block:	Lot(s): 43 Lot(s):
On the Wost side of Cewis Lo feet South of the intersection Town of Change of in the hamlet/village of Parcel Acreage of Parcel School District Pear River Water District Veolia	
Project Description: (If additional space required, ple 18 x 32 1 vyroom col dinmrode existly residence. 8 x 16 fronter	on Addition or side of
The undersigned agrees to an extension of the statutory time. Date: 8/9-9/24 Applicant's Signature:	AUG 2 8 2024 TOWN OF ORANGETOWN
	TOWN OF OKARDS



APPLICATION REVIEW FORM

MAY 0 4 2025

FILL IN WHERE APPLICABLE.

TOWN OF ORANGETOWN LAND USE BOARDS

(IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdivis	sion:					
1)	Is any variance from the subdivision regulations required?					
2)	2) Is any open space being offered? If so, what amount?					
3)	Is this a standard or average density subdivision?					
If site plan	n:					
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.					
Environm	ental Constraints:					
and net area	pes greater than 25%? If yes, please indicate the amount and show the gross					
	eams on the site? If yes, please provide the names.					
Are there we	tlands on the site? If yes, please provide the names and type:					
Project H	istory:					
	ect ever been reviewed before?					
	a narrative, including the list case number, name, date, and the board(s) you appeared					
	he status of any previous approvals.					
	2BA# 24-49 10/16/2024 - confined					
<i>i</i> .						
List tax map	section, block & lot numbers for all other abutting properties in the same ownership as					
this project.						
_	a a constant of the constant o					
_						



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	Block:	1 Lot:	43
Applicant: Gallagher			
Address: 43 West Lewis Ave. Pearl Ri	ver, NY		
RE: Application Made at: same			
0.6 1.5			
Referred For:			
Chapter 43, Section 3.12 RG District, Column 8 From proposed, Column 9 Side Yrd Setback 10' required w Setback 25' required w/ 18' 10-3/4" proposed. Chapter 43, Section 5.227 Accessory Structures allo proposed. Section 5.227 Accessory structures in side proposed	v/ 7' 2-1/2" pro wed in side an	posed, Column 11 I d rear yards with fro	Rear Yrd ont yard
5 variances required			
Comments: Additions, shed, hot tub			
Dear Gallagher :			
Please be advised that the Building Permit Application 2.9.24, has been referred to the Town of Court the Zoning Board of Appeals, Katlyn Bettmann can a before the board. She can be reached at 845-359-8410	rangetown Zon essist you in the	ning Board of Appe preparation necess	sary to appear
Sincerely,		REC	CEIVED
Re abole		APR	- 4 2025
Riehard Oliver Deputy Building Inspector	RECE	TOWN OF	
	APR U	4 2025	
Jan II	TOWN OF C	PRANGETOWN 3/3/	1/25
Signature of Director NOTE: PLEASE KEEP FOR YOUR RECORDS 10-01-2024: emd		Date CC: Katlyn Be Elizabeth	



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

TOWN OF ORANGETOWN LAND USE BOARDS

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

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.

Gallagher - 43 West Lewis Avenue (GML-24-0199)

1 / 10g

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

This matter is scheduled for: October 16, 2024

ACOE

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

Conservation

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- ½" 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.

	CEIVED
Name:	EP 0.4 2024 OF ORANGETOWN O USE BOARDS



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- ½" 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.
- 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.

Name: ^{Bill Prehoda}	Date:	10/10/24	
Signature: Bell Pred	',		



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) OCT 2 2 2024

TOWN OF ORANGETOWN LAND USE BOARDS

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	ACOE Rockland County Drainage Rockland County Health Rockland County Planning Rockland County Highway NYS Dept of Environmental
CSX	Conservation
This matter is scheduled for: October 16, 2024	
D : CD	
Review of Plans: Gallagher, & 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 yar Column 11 (rear yard: 25' required, 19' 9-1/2" proposed residence. The premises are located at 43 W Lewis Ave identified on the Orangetown Tax Map as Section 68.12 district.	l) for an addition at a single-family nue, Pearl River, New York and
Please review the information enclosed and provide con or e-mailed to the Zoning Board Office.	nments. These comments may be mailed,
If your Agency does not have any comments at this time back this sheet. • US Postal: 20 South Greenbush Road, Orangebu • Email to Zoning Board: KBettmann@orangetov	urg, NY 10962
Zoning Board Meeting Date: October 16, 2024 () Comments attached () No Comments at this time. Please send future correspondence for this site should be sent agency does not have any further comments. () This project is out of the jurisdiction of this agency at This project is before the Zoning Board on Wednesday your completed review to this office by October 16, 2	to this agency. Plans reviewed and this and has no further comments. October 16, 2024. Kindly forward
Reviewing Agency	_

Name: ______Date: ____

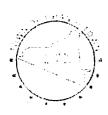
Signature: _______
Thank you, Katlyn Bettmann

Name of Municipality	: TOWN OF ORANGE	TOWN Date	Submitted:
→ PI	Please che Commercial anning Board oning Board of Appeals	eck all that apply:Reside	ential Historical Board Architectural Board
Nur Site	division nber of Lots Plan ditional Use cial Permit		consultation re-Preliminary/Sketch reliminary inal hterpretation
✓ Vari — Per	ance formance Standards Review Variance er (specify):	ASSIGNE INSPECT	T#: BLDR - 4680 - 24 DOR: Glean from Planning Board: YES / NO If yes provide date of Planning Board meeting:
Project Name:	Gallagher 43 W Lewis Pear I River,	s Ave Ny 10969	
Tax Map Designation Section	n: :B :B	lock:l	Lot(s):
On the Wost Town of Carrotte Acreage of Partice School District Ambulance District	side of Lewy South of the in un in the hamlet/villa rcel 15 t Pearl Liver strict Pearl Rive	tersection of ge of Zonin Posta Fire D	, approximately a. Road Ave , in the ? ver g District _ Rb I District _ Pear River istrict _ Pear River r District _ Orangetown
18 x 32 /10 existing resid	letter. 8×16 (anyoon A	th a narrative summary.) Addition on side of mudicion.
The undersigned agrees Date: 8/29/24	to an extension of the statu Applicant's Signature:	tory time timit for sc	AUG 28 2024 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)

lf subdivis	ion:
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	ı:
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.
Environm	ental Constraints:
and net area	pes greater than 25%? If yes, please indicate the amount and show the gross eams on the site? If yes, please provide the names.
	tlands on the site? If yes, please provide the names and type:
Project Hi	istory:
Has this proje	ect ever been reviewed before? <u>W.D.</u>
If so, provide	a narrative, including the list case number, name, date, and the board(s) you appeared
before, and t	he status of any previous approvals.
	<u> </u>
•	
List tax map	
this project.	section, block & lot numbers for all other abutting properties in the same ownership as



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 BOARI	OF APPEALS
Date: 8.6.24 Section: 68.12 Block: Applicant: Gallagher	1 Lot: 43
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- Required Rear Yard 25' with 19' 9-1/2" proposed	1/2" proposed. Colum 11,
2 Variances required	
Comments: Addition	
_{Dear} Gallagher	
Please be advised that the Building Permit Application # 4680-2.9.24 , has been referred to the Town of Orangetown Zoni he Zoning Board of Appeals, Katlyn Bettmann can assist you in the perfore the board. She can be reached at 845-359-8410 ext. 4516 or 84	preparation necessary to appear
Sincerely,) Richard Oliver Deputy Building Inspector	AUG 2 8 2024 TOWN OF ORANGETOWN LAND USE BOARDS
\mathcal{O}	

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

CC.

Liz DeCoit Debbie Arbolmo

Date

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.

LOWN CLERKS OFFICE

SOIR HER 8 EW I 03

TOWN OF ORANGETOWN

Gallagher ZBA#15-23 Page 2 of 4

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 CLERKS OFFICE

ME APR 8 PM 1 03

Gallagher ZBA#15-23 Page 3 of 4

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 TOWN CLERKS OFFICE

Gallagher ZBA#15-23 Page 4 of 4

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

Administrative Aide

DISTRIBUTION:

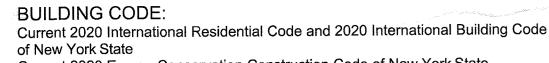
APPLICANT ZBA MEMBERS SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY OBZPAE BUILDING INSPECTOR-G.M.

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

TOWN CLERAS OFFICE 2015 APR 8 PM 1 03 тфии ое облисетоми

Private Residence - Proposed Addition

43 West Lewis Ave. Pearl River NY 10965 sbl 68.12-1-43, p4680-24



Current 2020 Energy Conservation Construction Code of New York State

GENERAL:

1. All work performed shall comply with all requirements of the New York State building and energy code.

2. Contractor to verify all dimension and conditions prior to starting construction. Any discrepancies shall be reported to the architect.

3. It shall be understood that the scope of the these drawings includes only basic structural and architectural information, and that no further liability will be assumed

beyond the contents of these signed and sealed documents.

4. For design purposes, load values for these plans were taken from Table R401.4 under "sand silty, sand, clayey sand, silty gravel, and clayey gravel" having a minimum load bearing pressure of 2,000 PSF. Site with soil values appearing less than 2,000 lbs shall be tested to locate virgin soil with approved bearing value prior to footing installation. The architect shall be notified of these findings for redesign

of footings, foundation and slab where applicable. 5. All concrete work shall be transit mixed stone concrete developing a strength of

6. All lumber shall be sound dry material. All lumber shall be construction grade

douglas fir or kiln-dried spruce with the following min. stress: Fb= 1,500 PSI, and E:

7. All electrical work shall conform to the requirements of the NBFU and the local

utility company. 8. All plumbing work shall conform to all state and local codes.

9. All heating work shall conform to all state and local codes. 10. The contractor shall be responsible for notifying the architect and the owner in case of any discrepancies between removal noted on the drawings and that which would be required for completion of the project or that might jeopardize the structural integrity of the building. All structure shall be carefully supported throughout the removal of any bearing walls so that the bulling experiences no loss

11. Headers over all doors, windows, and other openings under 6'-O" shall be (2) 2xI0 unless otherwise noted. Header openings 6' to 8' shall receive (3) 2xI0 or (2) 2x12 headers in exterior walls, unless otherwise noted.

12. Provide double floor joist below parallel partitions.

13. Install C02 detectors as required by code.

SMOKE DETECTORS:

Provide smoke detectors (hard wired) in all bedrooms, hall areas (near bedrooms), attic, and basement. Installation to meet all codes. Provide carbon monoxide detectors in locations as required by code.

STAIR NOTES:

Typical exterior stair / handrail requirements (meet New York State code

- 1. Max Riser height 8 1/4"
- 2. Minimum tread depth 9" plus minimum nosing 3/4"
- 3. Handrails 36" AFF
- 4. Spindle spacing as such to restrict the passage of a 4" sphere

STRUCTURAL DESIGN LOADING: Drawings are designed for and comply with the below requirements:

TABLE R301.5:

20 lbs/sf LL + 10 lbs/sf DL = 30 PSF 60 lbs/sf LL + 10 lbs/sf DL = 70 PSF Exterior Balconies: 40 lbs/sf LL + 10 lbs/sf DL = 50 PSF Fire Escapes: 200 lbs/sf LL + 20 lbs/sf DL = 220 PSF Guardrail & Handrails: Guardrail infill Composition: 50 lbs/sf LL + 10 lbs/sf DL = 60 PSF Passenger Vehicle Garages: 20 lbs/sf LL + 10 lbs/sf DL = 30 PSF 40 lbs/sf LL + 10 lbs/sf DL = 50 PSF Non-Sleeping Rooms: 30 lbs/sf LL + 20 lbs/sf DL = 50 PSF Sleeping Rooms: 40 lbs/sf LL + 10 lbs/sf DL = 50 PSF

TABL	E 301	.6:	

Decks:

OOF SLOPE:	Tributary loaded area for any structural member			┢
	0 - 200 sf	201 - 600 sf	over 600 sf	-
lat, or rise less than 4" per foot (1:3)	20	16	12	-
Rise 4" per foot (1:3) to less than 12" per foot (1:1)	16	14	12	-
Rise 12" per foot (1"1) or greater	12	12	12	-

0 lbs/sf LL + 10 lbs/sf DL = 50 PSF

TABLE R301.7:

Rafters having slope greater than 3/12: L/180 (w/o finished ceiling attached) H/180 Interior walls & partitions: L/360 Floors & plastered ceilings: L/240 All other structural members: H/360 Exterior walls w/ plaster or stucco finish: Exterior walls - wind loads w/ brittle finishes: L/240 Exterior walls - wind loads w/ flexible finishes: L/120

BUILDING THERMAL ENVELOPE REQUIREMENTS: The building thermal envelope shall be sealed to limit infiltration. Refer to section

N1102.4.1 of the 'NEW YORK STATE RESIDENTIAL CODE' regarding areas requiring caulking, weatherstripping. tor other suitable air barrier materials.

N1101.4 - Zone #5 (Rockland County, NY)

N1102.5 - Provide sheet polyethylene non-perforated aluminum foil or approved alternate on Basement / Garage stud walls

N1102.5.3 - All minimum clear air spaces and vented openings for vented cladding shall comply

N1103 - All systems shall comply with this section N1401.3 - All mechanical information shall be provided by the mechanical contractor

68 sf

(Existing)



LOCATION	PERFORMANCE REQUIRED	PERFORMANCE PROVIDED	
CEILING	R-49	R-49	
WALL	R-21	R-21	
FLOOR	R-30	R-30	
GLAZING	U-27	U-27	
BASEMENT WALL	R-10	R-10	
SLAB EDGE (ON GRADE)	R-10	R-10	
CRAWL SPACE	R-10	R-10	

ZONING INFORMATION:			
ZONE RG BULK REGULATIONS GROUP Q	REQUIRED	EXISTING	PROPOSED
LOT AREA	10,000 sf	* 6,801 sf	No Change
LOT WIDTH	75' - 0"	86' - 0"	No Change
STREET FRONTAGE	50' - 0"	162' - 8 1/4"	No Change
FRONT YARD	25' - 0"	33' - 1 1/4"	23' - 10 3/4" (W. Lewis)
			29' - 6" (Railraod Ave.)
SIDE YARD	10' - 0"	25' - 2 1/2"	** 7' - 2 1/2"
TOTAL SIDE YARD	30' - 0"	N/A Corner Lot	No Change
REAR YARD	25' - 0"	14' - 4 1/4"	** 18' - 10 3/4"
MAX FLOOR AREA RATIO	30% (2,040-sf)	18.1% (1,232 sf)	29:59% (2,012-sf) w/Shed

IAX FLOOR AREA RATIO	30% (2,040 sf)	18.1% (1,232 sf)	29:59% (2,013-sf) w/Shed
IEAN BUILDING HEIGHT	20' - 0" MAX	1 1 - 1/-	14' - 8 1/2"

(Existing)

(Not Included in FAR)

* Per Chapter 43, Section 5.21 this is considered an undersized lot. ** Denotes Variance Required

NUE S 85°12'00" E EXISTING WOOD PATIO CONC. Ш ₩© PATIO EXIST. WOOD -PLATFORM CONCRETE STOOP 4 N. or F. **EXISTING DWELLING** PROPOSED ONE STORY (Cape Cod) MOTHODA # 43 W. Lewis Ave. PROPOSED_ AL 50' 0 GARDEN AREA PROP. EXIST. PAVED X DRIVEWAY FENCING X WEST LEWIS AVENUE **SURVEY**Scale:1" = 20'

695 sf

(Existing)

719 st

469 sf (Existing) (All Areas w/ Clg. Above 7'-0")

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Private Residence Gallagher Residence

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

Cover Page

Joseph Martin, RA

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



Town of Orangetown A-100

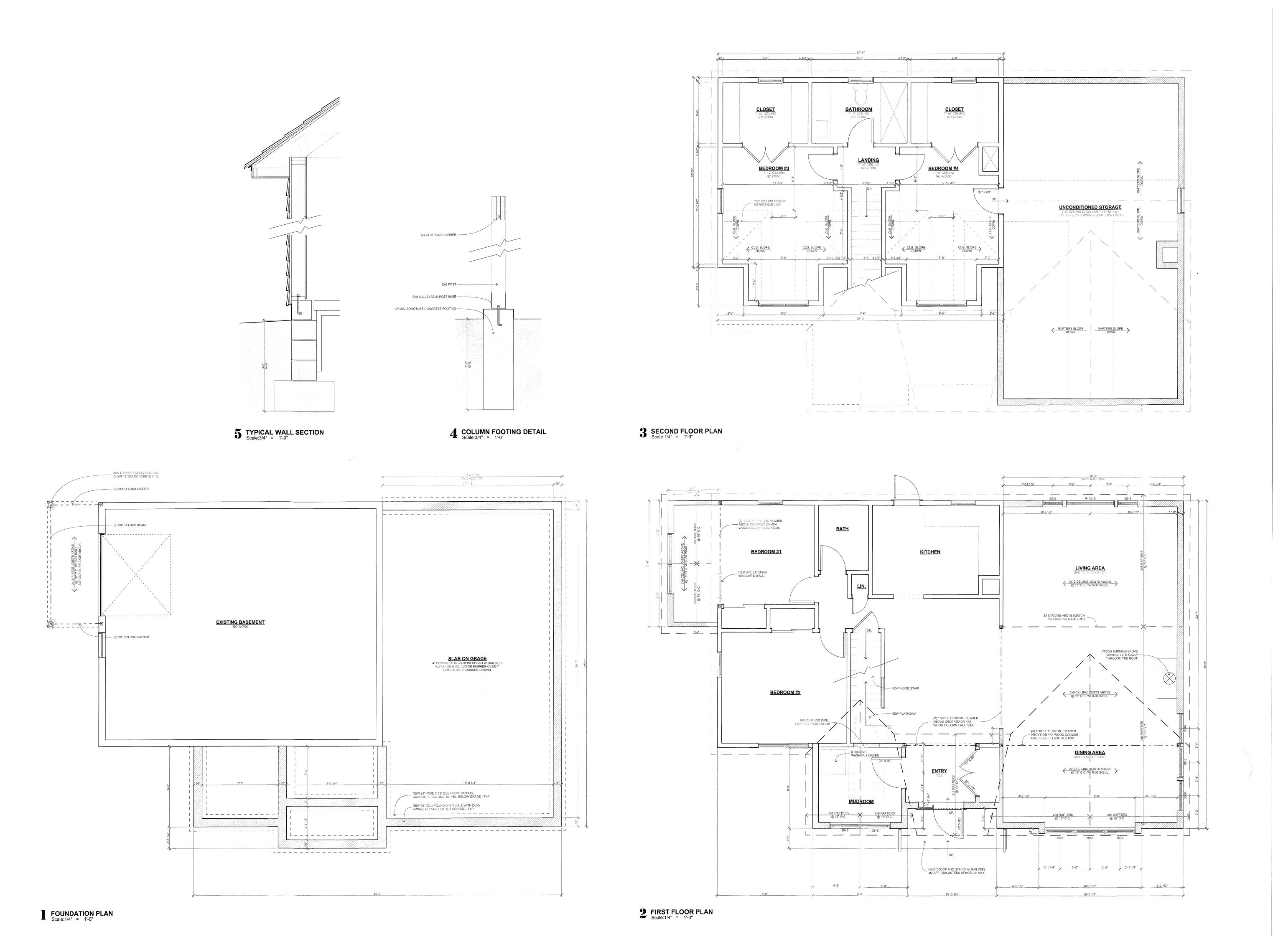
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Private Residence Gallagher Residence

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-1()1Sheet 2 of 3

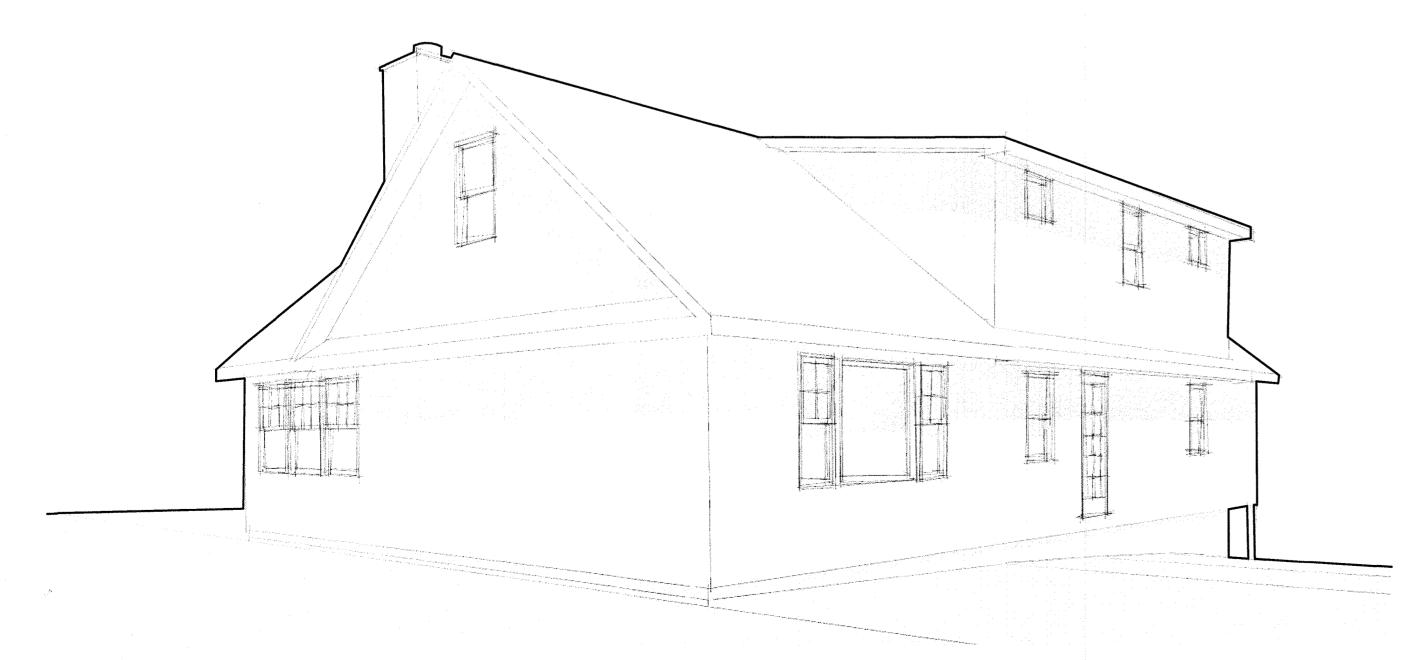
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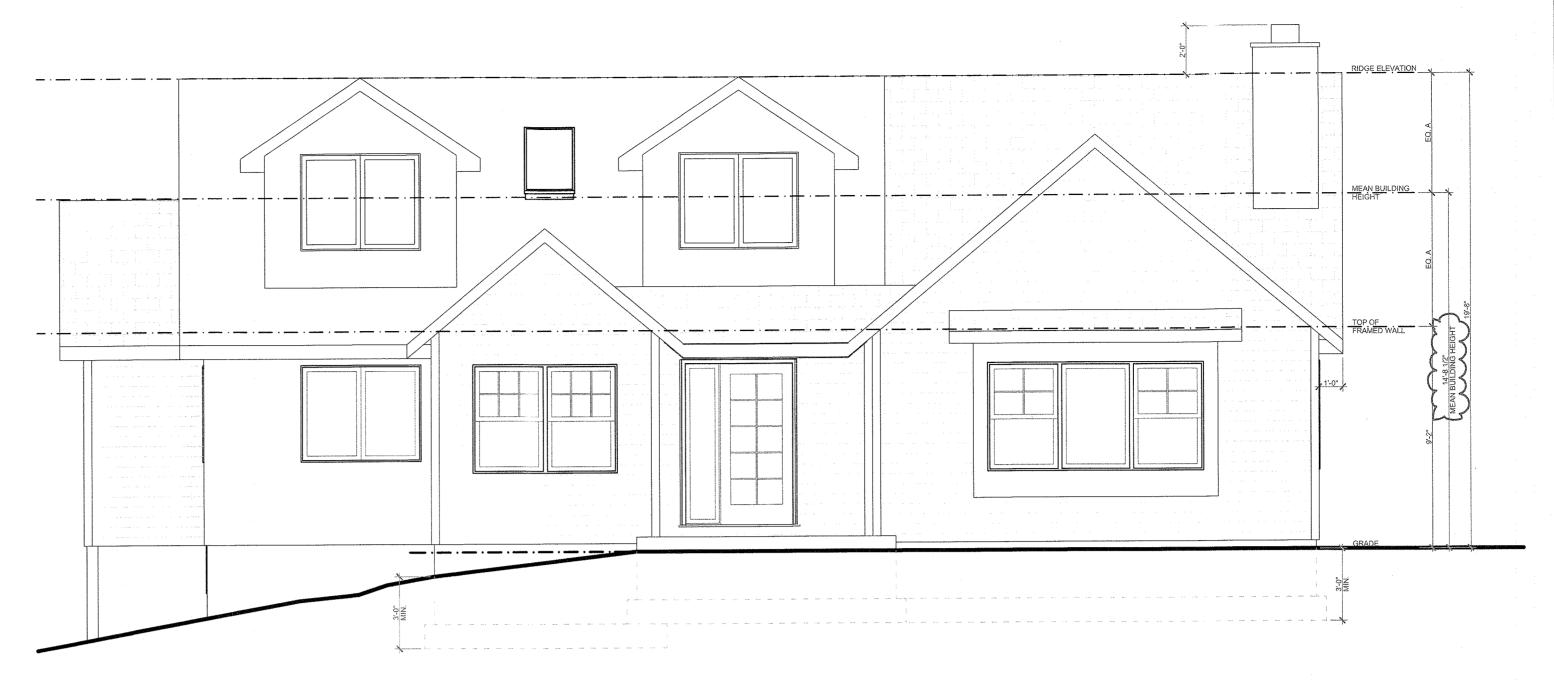


6 SOUTH SKETCH PERSPECTIVE NOT TO SCALE

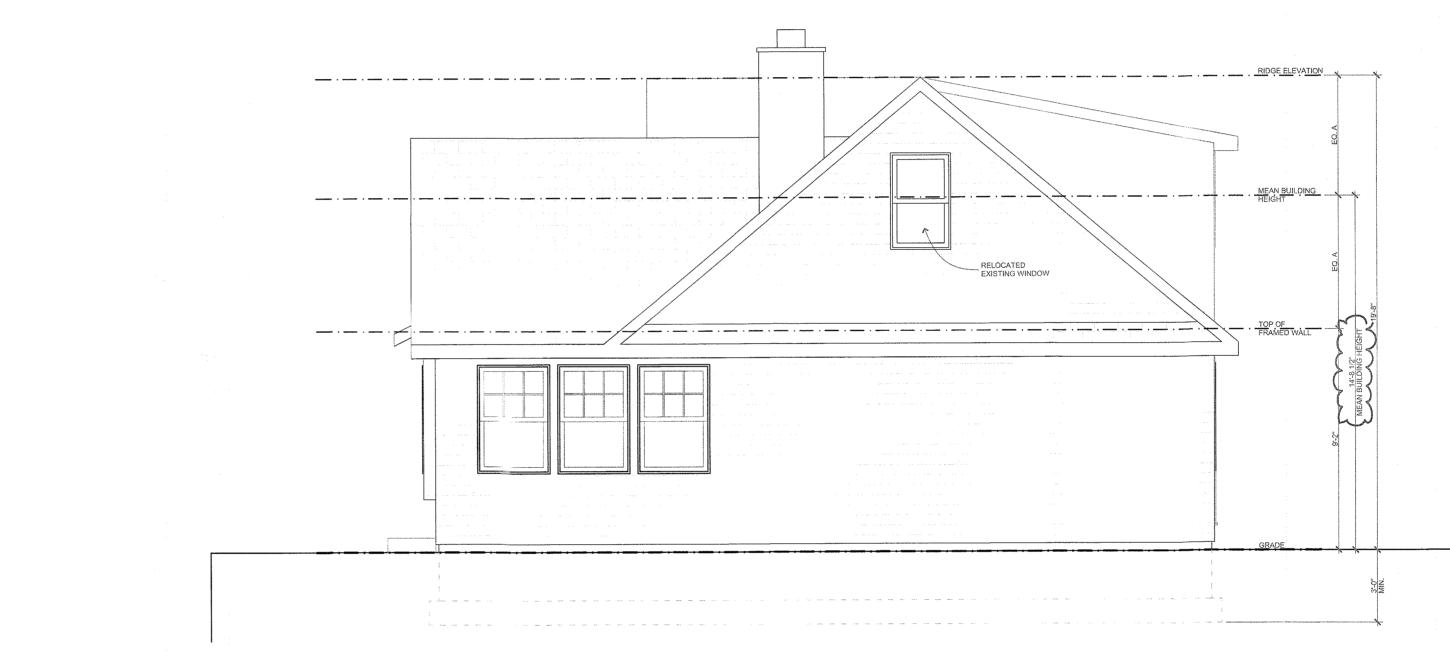


SOUTHEAST SKETCH PERSPECTIVE NOT TO SCALE

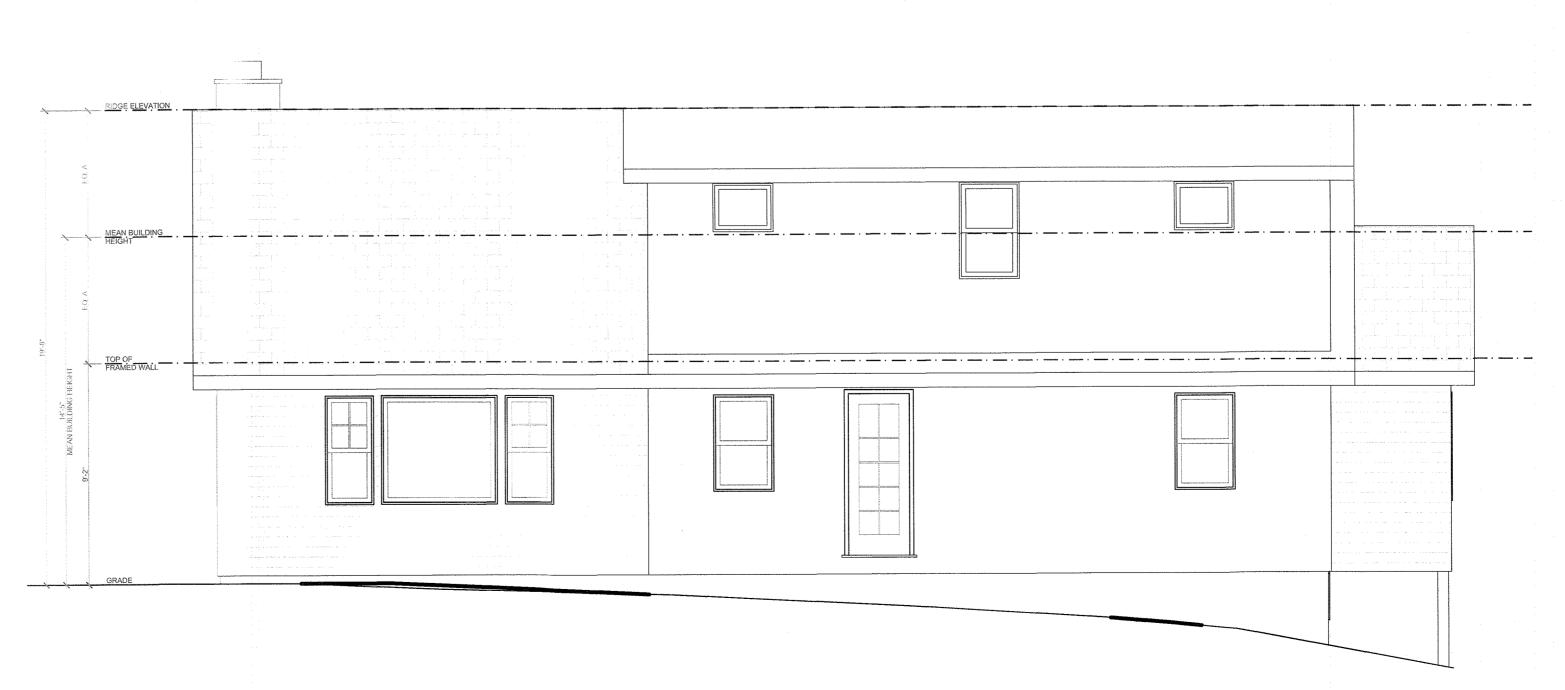




FRONT ELEVATION - PROPOSED Scale:1/4" = 1'-0"



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



REAR ELEVATION - PROPOSED
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

Elevations & Perspectives

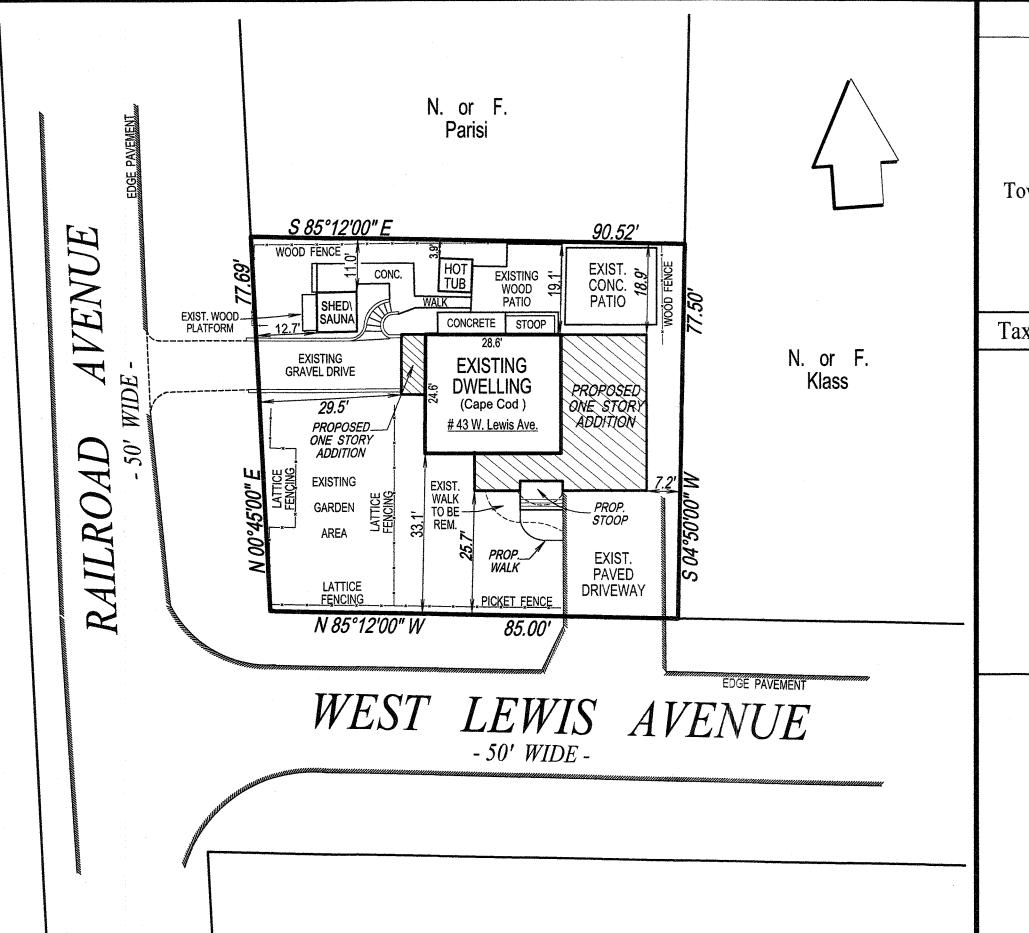
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A-102
Sheet 3 of 3

2/4/2025

NORTHEAST SKETCH PERSPECTIVE
NOT TO SCALE



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

ltem	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	Oned/Jauna

^{*} Chapter 43 Sect. 5.21

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TOWN OF ORANGETOWN LAND USE BOARDS



^{**} Denotes Variance Required