

MINUTES
ZONING BOARD OF APPEALS
May 7, 2025

MEMBERS PRESENT: MICHAEL BOSCO, CHAIRMAN
ROBERT BONOMOLO, JR.
BILLY VALENTINE
PATRICIA CASTELLI
THOMAS QUINN
ANTHONY DEROBERTIS, ALTERNATE

ABSENT: NONE

ALSO, PRESENT: Denise Sullivan, Deputy Town Attorney
Katlyn Bettmann, Administrative Aide
Anne Marie Ambrose, Official Stenographer

This meeting was called to order at 7: 00 P.M. by Chairman Bosco.
Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

<u>APPLICANTS</u>	<u>PUBLISHED ITEMS</u> <u>DECISIONS</u>	
<u>POSTPONED ITEM:</u> SINANAN 143 Independence Avenue Tappan, New York 74.18 / 2 / 1; R-15 zone	SECTION 9.2 VARIANCE EXPANSION OF NON-CONFORMING BULK APPROVED WITH CONDITION	ZBA#25-11
<u>NEW ITEMS:</u> GARCIA/EUGENE 9 Heather Lane Orangeburg, New York 74.1.4 / 2 / 18; R-15 zone	SECTION 5.227 POOL SIDE YARD & SECTION 3.12 REAR YARD VARIANCES APPROVED	ZBA#25-12
ANDREOPOULOS 52 Minuteman Circle Orangeburg, New York 74.17 / 1 / 4; R-22 zone	FRONT YARD VARIANCE APPROVED AS MODIFIED	ZBA#25-13

THE DECISIONS RELATED TO THE ABOVE HEARINGS are inserted herein and made part of these minutes.

The verbatim minutes, as recorded by the Board's official stenographer for the above hearings, are not transcribed.

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 8:40 P.M.

Dated: May 7, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Katlyn Bettmann, Administrative Aide

DISTRIBUTION:
APPLICANT
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
TOWN BOARD MEMBERS
BUILDING INSPECTOR (Individual Decisions)
Rockland County Planning

TOWN CLERK'S OFFICE
2025 MAY 20 P 3:07
TOWN OF ORANGETOWN

DECISION

SECTION 9.2 EXPANSION OF NON-CONFORMING BULK VARIANCE APPROVED WITH CONDITION

To: Anbiar Sinanan
143 Independence Avenue
Tappan, New York

ZBA #25-11
Date: May 7, 2025
Permit # POOLR-5073-24

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#25-11: Application of Anbiar Sinanan, Owner, for variances from Zoning Code (Chapter 43), R-15 District, Group M, Section 9.2 (Expansion of non-conforming bulk) for a hot tub addition to an existing pool that was approved in ZBA#77-12 at an existing single-family dwelling. The premises are located at 143 Independence Avenue, Tappan, New York and identified on the Orangetown Tax Map as Section 74.18, Block 2, Lot 1, in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, May 7, 2025 at which time the Board made the determination hereinafter set forth.

Anbiar Sinanan, homeowner, appeared and testified.

The following documents were presented:

1. Spa Plan, with the most recent revision date of October 8, 2024, signed and sealed by David J. Egarian, P.E., (1 page).
2. As-Built Survey, dated March 13, 2024, signed and sealed by William T. Manning, P.L.S..

Chairman Bosco, made a motion to open the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

Anbiar Sinanan, homeowner, testified that he purchased the home in 2023; that in June of 2024 he did a renovation and removed the existing hot tub and installed a new hot tub at the end of the pool; that the hot tub was previously located closer to the house inside the setbacks; that the retaining wall existed prior to him purchasing the home, he did not build the wall;

Mr. Valentine asked if the retaining wall on the property would be considered to be in the purview of this application? He also stated that this is an extremely unique property with three front yards.

Chairman Bosco stated that the retaining wall should be documented, and further explained, that it's an easement, and if the Town of Orangetown has to do work it's an agreement because of the retaining wall being over the property line.

Denise Sullivan stated that there should be a hold harmless agreement for the existing retaining wall which is built past the property's boundary line, and that the Highway Department has a hold harmless agreement; and that it should be prepared subject to approval of the Town Attorney's office.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Chairman Bosco moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye.

TOWN CLERK'S OFFICE
2025 MAY 20 P 3:07
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.

Chairman Bosco 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 § 9.2 Expansion of non-conforming bulk variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The Applicant has a unique property with three front yards which create difficulties for the homeowner, and the hot tub is attached to the existing pool.
2. The requested § 9.2 Expansion of non-conforming bulk variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The Applicant has a unique property with three front yards which create difficulties for the homeowner, and the hot tub is attached to the existing pool.
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 § 9.2 Expansion of non-conforming bulk variance although substantial, and affords 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. The Applicant has a unique property with three front yards which create difficulties for the homeowner, and the hot tub is attached to the existing pool.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvement, 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 variance.

TOWN OF ORANGETOWN
2025 MAY 20 P 3:07
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested § 9.2 Expansion of non-conforming bulk variance is APPROVED; and FURTHER RESOLVED, with the Specific Conditions (1) Applicant will notify the Town Highway Department of the retaining wall beyond the property's boundary line; and request that the Highway Department provide the applicant with a Hold Harmless Agreement, subject to review and approval of the Town Attorney's Office; 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.

The foregoing resolution to approve the application for the requested § 9.2 Expansion of non-conforming bulk variance are APPROVED; and FURTHER RESOLVED, with the Specific Conditions (1) Applicant will notify the Town Highway Department of the retaining wall beyond the property's boundary line; and request that the Highway Department provide the applicant with a Hold Harmless Agreement, subject to review and approval of the Town Attorney's Office was presented and moved by Ms. Castelli, seconded by Mr. Quinn and carried as follows: Chairman Bosco, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, 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: May 7, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By


Katlyn Bettmann
Administrative Aide

DISTRIBUTION:

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

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

TOWN OF ORANGETOWN
2025 MAY 20 P 3:08
TOWN CLERK'S OFFICE

DECISION

**SECTION 5.227 POOL SIDE YARD & SECTION 3.12 REAR YARD VARIANCES
APPROVED**

To: Jennifer Garcia & TJ Eugene
9 Heather Lane
Orangeburg, New York

ZBA #25-12
Date: May 7, 2025
Permit # POOLR-6881-25

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#25-12: Application of Jennifer Garcia and Therone Eugene II, Owners, for variances from Zoning Code (Chapter 43), R-15 District, Group M, Section 3.12, Column 11, Rear yard setback (20' required, with 15' proposed), and from Section 5.227 Pool side yard setback (20' required, with 17' proposed) for an above ground pool at an existing single-family residence. The premises are located at 9 Heather Lane, Orangeburg, New York and identified on the Orangetown Tax Map as Section 74.14, Block 2, Lot 18 in the R-15 zoning district. Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, May 7, 2025 at which time the Board made the determination hereinafter set forth.

Jennifer Garcia and Therone Eugene II, homeowners, appeared and testified.

The following documents were presented:

1. Plot plan based on a survey by Robert Rahnefeld, dated March 18, 2025, prepared by Cara Dinargio, Westrock Pools, (1 page).
2. Survey dated September 1, 2023 signed and sealed by Robert Rahnefeld, P.L.S..
3. A letter dated April 21, 2025 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
4. A "Comments attached" from Rockland County Department of Planning signed by Jake Palant dated April 8, 2025.

Chairman Bosco, made a motion to open the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

Therone Eugene, homeowner, testified that the previous homeowner had put cement down in the yard, approximately thirty years ago, larger than a walkway; that they would like to put an above ground pool in the yard thirty-four (34') feet by twelve (12') feet; that if they were to place the pool at the required setback, the pool would overhang the previously installed cement; that he worries what issues may arise due to uneven water levels; that the previous homeowner had also begun installing electric for a pool, approximately eighteen (18') feet from the property line; stated that pool will not work in the area of the fire pit as it is an elaborate fire pit area with dirt and cement; that they would also like to keep the pool away from the fire; that there are also evergreens along the area and a fence.

Jennifer Garcia, homeowner, testified that there is also a very large tree in the area of the firepit which would interfere with the placement of the pool;

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Chairman Bosco moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye.

TOWN CLERK'S OFFICE
2025 MAY 20 P 3:08
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.

Chairman Bosco 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 § 5.227 pool side yard and § 3.12 rear yard variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar pools exist in the area.
2. The requested § 5.227 pool side yard and § 3.12 rear yard variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Similar pools exist in the area.
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 § 5.227 pool side yard and § 3.12 rear yard variances although substantial, and affords 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 pools exist in the area.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvement, 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 variance.

TOWN OF ORANGETOWN
2025 MAY 20 P 3:08
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested § 5.227 pool side yard and § 3.12 rear yard 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 CLERK'S OFFICE
2025 MAY 20 P 3: 08
TOWN OF ORANGETOWN

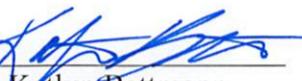
The foregoing resolution to approve the application for the requested § 5.227 pool side yard and § 3.12 rear yard variances are APPROVED; was presented and moved by Mr. Valentine, seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, 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: May 7, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By


Katlyn Bettmann
Administrative Aide

DISTRIBUTION:

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

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

TOWN CLERK'S OFFICE
2025 MAY 20 P 3:09
TOWN OF ORANGETOWN

DECISION
FRONT YARD VARIANCE APPROVED AS MODIFIED

To: Maren Robertson(Andreopoulos)
52 Minuteman Circle
Orangeburg, New York

ZBA#25-13
Date: May 7, 2025
Permit # BLDR-6628-25

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#25-13: Application of Maren Robertson, Applicant for the Owners, Yiannis & Vassiliki Andreopoulos, for variances from Zoning Code (Chapter 43), R-22 District, Group I, Section 3.12, Column 8 (Front Yard: 40' required, with 28.7' proposed) for a front portico at an existing single-family dwelling. The premises are located at 52 Minuteman Circle, Orangeburg, New York and identified on the Orangetown Tax Map as Section 74.17, Block 1, Lot 4, in the R-22 zoning district.

Vassiliki Andreopoulos, Homeowner, & Maren Robertson, Architect, appeared and testified.

The following documents were presented:

1. Site plan for Andreopoulos Residence, with the most recent revision date of March 19, 2025, signed and sealed by Maren Robertson, R.A., (3 pages).
2. Survey dated January 12, 1977, by John . Hoffmann, P.L.S..
3. An email from Carol Silverstein dated April 21, 2025.
4. Computer generated photo, submitted at Zoning Board meeting, May 7, 2025 by Vassiliki Andreopoulos.

Chairman Bosco, made a motion to open the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

Maren Robertson, Architect, testified that the decision was made to add the portico because the homeowner wanted to the front door covered; that this would be a benefit to the homeowner; that in reference to the received neighbor letter, the work being done in the back of the property is being done with a permit, however as this did not require any variances there were no notices sent out; that there are many houses in the neighborhood with different variations of similar porticos;

Vassiliki Andreopoulos, Homeowner, testified that her front door has been destroyed from the snow and the rain, and submitted a supporting picture; that when she has parcels delivered they often get wet if left on the porch; that the current porch is a very tight space; that the doormat is always wet and causes her to track this into her home as well;

Denise Sullivan, Deputy Town Attorney, stated that this lot is part of an average density subdivision, according to the map # 4161 filed with the Rockland County Clerk's Office; that although this is an R-22 zone, this lot would then use the bulk table for the R-15 zoning district; that the setback would no longer require forty (40') feet, but would require thirty (30') feet;

Chairman Bosco stated that this would than mean that the existing non-conforming measurement is inaccurate, and will need to be corrected.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Chairman Bosco moved for a Board determination that the foregoing application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye.

TOWN OF ORANGETOWN
2025 MAY 20 3:09
ZONING BOARD OFFICE

Public Comment:

Daniele Favre Panayotatos, 95 Monmouth Court, Orangeburg, New York testified that she lives nearby; that they have no issues with the proposed work; and that she spoke to all of the neighbors and they think this would look more upscale.

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.

Chairman Bosco made a motion to close the Public Hearing which motion was seconded by Mr. Bonomolo 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 front yard setback as modified (from 40' to 30' required with 28.7 proposed) variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar porticos exist in the area.
2. The requested front yard setback as modified (from 40' to 30' required with 28.7 proposed) variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Similar porticos exist in the area.
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 front yard setback as modified (from 40' to 30' required with 28.7 proposed) variance although substantial, and affords 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 porticos exist in the area.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvement, 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 variance.

TOWN OF ORANGETOWN
2025 MAY 20 P 3:09
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested front yard setback as modified (from 40' to 30' required with 28.7 proposed) variance is APPROVED; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

(i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

The foregoing resolution to approve the application for the requested front yard setback as modified (from 40' to 30' required with 28.7 proposed) variance is APPROVED; was presented and moved by Mr. Quinn, seconded by Ms. Castell and carried as follows: Chairman Bosco, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye.

TOWN CLERK'S OFFICE

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TOWN OF ORANGETOWN

Andreopoulos
ZBA#25-13
Page 4 of 4

Permit # BLDR-6628-25

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: May 7, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Katlyn Bettmann
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR-Ken L

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

TOWN CLERK'S OFFICE
2025 MAY 20 P 3:10
TOWN OF ORANGETOWN