

MINUTES
ZONING BOARD OF APPEALS
October 15, 2025

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

ABSENT: ROBERT BONOMOLO, JR.

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

This meeting was called to order at 7: 06 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>NEW ITEMS:</u>		
HIGHLAND MEWS(653) 653 Main Street Sparkill, New York 77.08 / 5 / 49.4; CS zone	CONTINUED	ZBA#25-41
HIGHLAND MEWS(651) 651 Main Street Sparkill, New York 77.08 / 5 / 49.3; CS zone	CONTINUED	ZBA#25-42
HIGHLAND MEWS(649) 649 Main Street Sparkill, New York 77.08 / 5 / 49.2; CS zone	CONTINUED	ZBA#25-43
552 NORTH MIDDLETOWN ROAD, LLC. 552 N. Middletown Road Pearl River, New York 64.17 / 1 / 76; CO zone	FRONT YARD AND HEIGHT VARIANCES APPROVED WITH A CONDITION	ZBA#25-44
DONNELLY SUBDIVISION 276 Sickletown Road Orangeburg, New York 64.20 / 1 / 9; R-40 zone	SIDE YARD FOR LOT 1, STREET FRONTAGE FOR LOT 2 AS MODIFIED, AND 280-A STREET FRONTAGE VARIANCES APPROVED WITH A CONDITION AND OVERRIDE.	ZBA#25-45
SCHATILOFF 86 Old Middletown Road Pearl River, New York 69.17 / 5 / 34; R-15 zone	SIDE YARD VARIANCE APPROVED	ZBA#25-46

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

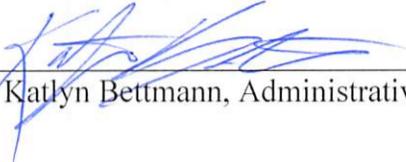
The verbatim minutes, as recorded by the Board's official stenographer for the above hearings, are not transcribed.

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 9:00 P.M.

Dated: October 15, 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 OF ORANGETOWN
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TOWN CLERK'S OFFICE

DECISION

FRONT YARD & HEIGHT VARIANCE APPROVED WITH A CONDITION.

To: Donald Brenner(552 N. Middletown Road LLC.)
4 Independence Avenue
Tappan, New York

ZBA #25-44
Date: October 15, 2025
Permit # BLDC-7509-25

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#25-44: Application of 552 North Middletown Road, LLC., Owners, for variances from Zoning Code (Chapter 43), CO District, Group NN, Section 3.12, Column 8 (Front Yard: 30' required, 27.3' proposed), Column 12 (Height: 13'-8" permitted, 17'-4" proposed) for a canopy over existing fuel pumps, which were previously approved under PB#21-03 & ACABOR #21-31(NO SIGNAGE APPROVED). The premises are located at 552 North Middletown Road, Pearl River, New York and identified on the Orangetown Tax Map as Section 64.17, Block 1, Lot 76 in the CO zoning district

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, October 15, 2025 at which time the Board made the determination hereinafter set forth.

Donald Brenner, Attorney, appeared and testified.

The following documents were presented:

1. Site plans, Proposed Canopy dated October 31, 2024 signed and sealed by Anthony R. Celentano, P.L.S. (1 page).
2. Survey dated October 31, 2024 signed and sealed by Anthony R. Celentano, P.L.S.
3. An Entity Disclosure Form for 552 Middletown Road LLC.
4. Computer generated pictures of the existing view of the location, (4 pages).
5. A letter dated September 25, 2025 from the Town of Clarkstown signed by Brian Metcalf, Chairman of the Clarkstown Planning Board.

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

Donald Brenner, Attorney, testified that this property was previously approved at one time; that this a new owner and a new application; that this application is for the same canopy that was previously approved; that the survey provided has information that needs to be corrected; that they will have the front yard corrected and show the proper height on the updated drawing;

Chairman Bosco stated that he recalls previously approving this project, however this application will be viewed, and a decision rendered, based on the application in front of the board at this time.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Chairman Bosco moved for a Board determination that since the Planning Board noticed its intent to declare itself Lead Agency and distributed that notice of intention to all Involved Agencies, including the ZBA who consented or did not object to the Planning Board acting as Lead Agency for these applications, pursuant to coordinated review under the State Environmental Quality Review Act Regulations § 617.6 (b)(3); and since the Planning Board conducted SEQRA reviews and, on January 13, 2021 (as set forth in PB#21-03 Rockland Car Care Site Plan) Final Site Plan Approval Subject to Conditions, rendered an environmental determination that no significant adverse environmental impacts to result from the proposed land use actions (i.e. a "Negative Declarations" of "Neg Dec."), the ZBA is bound by the Planning Board's Neg Dec and the ZBA cannot require further SEQRA review pursuant to SEQRA Regulations § 617.6 (b)(3). The motion was seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye. Mr. Bonomolo, was absent.

Public Comment:

No public comment.

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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. Valentine 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 and height variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The front yard setback and height of the proposed canopy are minimal variances, and were approved for the previous owner as well, however they were never implemented.
2. The requested front yard and height variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The front yard setback and height of the proposed canopy are minimal variances, and were approved for the previous owner as well, however they were never implemented.
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 and height 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. The front yard setback and height of the proposed canopy are minimal variances, and were approved for the previous owner as well, however they were never implemented.
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.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested front yard and height variances are APPROVED; with the following SPECIFIC CONDITIONS:(1) Survey is to have front yard and height measurements corrected; 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.

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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 and height variances are APPROVED; with the following SPECIFIC CONDITIONS:(1) Survey is to have front yard and height measurements corrected; was presented and moved by Ms. Castelli, seconded by Mr. Valentine and carried as follows: Chairman Bosco, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye. Mr. Bonomolo was 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: October 15, 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

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DECISION

SIDE YARD FOR LOT 1, STREET FRONTAGE FOR LOT 2 AS MODIFIED, AND 280-A STREET FRONTAGE VARIANCES APPROVED WITH A CONDITION AND OVERRIDE.

To: Donald Brenner(Donnelly Subdivision)
4 Independence Avenue
Tappan, New York

ZBA #25-45
Date: October 15, 2025
Permit # BLDC-7509-25

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#25-45: Application of Eamon Donnelly, Owner, for variances from Zoning Code (Chapter 43), R-40 District, Group E, Section 3.12, Column 9 (side yard for lot 1: 30' required, with 28.2' proposed), Column 7 (street frontage for lot 2: 100' required, with 30.9' proposed), and for a variance from New York State Law Section 280-a(Street Frontage), for (2) lot subdivision, at a single-family residential lot. The premises are located at 276 Sickletown Road, Orangeburg, New York and identified on the Orangetown Tax Map as Section 64.20, Block 1, Lot 9 in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, October 15, 2025 at which time the Board made the determination hereinafter set forth.

Donald Brenner, Attorney, Jay Greenwell, Land Surveyor, Eamon Donnelly, Owner, appeared and testified.

The following documents were presented:

1. Subdivision Plans, Donnelly with the most recent revision date of July 8, 2025 signed and sealed by Jay A. Greenwell, P.L.S., (3 pages)
2. A copy of Planning Board Decision PB#25-42, from the meeting held on July 23, 2025.
3. A project narrative received with the Zoning Board Application on August 26, 2025.
4. A letter dated October 6, 2025 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
5. A letter stating "Comments attached" from Rockland County Department of Planning signed by Jake Palant dated September 15, 2025

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

Donald Brenner, Attorney, testified that this application has been approved by the Town of Orangetown Planning Board as presented; that this property was purchased during the time of the Covid pandemic; that the existing house does not meet the needs of the property owner; that his Client would like to build a new house in the rear lot, where he will then live; that he would like to have his brother live in the house on the front lot; that the letter received from Rockland County Planning, in reference to this project, he believes to be a standard issued letter.

Jay Greenwell, Land Surveyor, testified that the concerns presented from the Rockland County Planning letter, in reference to the widening of the driveway, can be mitigated; that they can revise the plans and have the driveway flare out to sixty (60') feet at the front of the lot; that this would provide a minimum of one-hundred (100') feet of frontage for the front lot, but it would be sixty (60') feet of frontage for the back lot; that the sixty (60') feet brings the project more into compliance, as well as keeping in compliance with the first lot; that the biggest problem that the planning and zoning boards have typically is that when the flagpole is included in the calculated lot area, if the net lot area is insufficient without the flagpole, then the area that is non-usable space is being taken away; that there is a blue box marked on these plans, which does not include any part of the flag pole and is fifty-six thousand (56,000 S.F.) square feet; that this is well over the forty-thousand (40,000 S.F.) square feet required; that the twenty-eight point two (28.2') feet for the side yard is only one point eight (1.8') feet shy of what is required; that the total side yard for lot one is in compliance; that the one point eight (1.8') feet was the determining factor for this project as they could not get the area to get a thirty (30') foot side yard; that the lot adjacent is almost identical.

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Chairman Bosco asked if the street frontage could be increased, and stated that it is important that the street frontage be mitigated.

Mr. Valentine stated that this is a unique lot; and that he does not believe there to be a precedent set, based on this proposal; that however he does feel the approval should be contingent on the sixty (60') feet street frontage.

Mr. Quinn stated that in reference to the concerns with the access points, presented in the letter from Rockland County Planning, this will still have two access points.

Denise Sullivan, Deputy Town Attorney, asked if the comments made by the Rockland County Planning Department were the same comments made to the Town of Orangetown Planning Department.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Chairman Bosco moved for a Board determination that since the Planning Board noticed its intent to declare itself Lead Agency and distributed that notice of intention to all Involved Agencies, including the ZBA who consented or did not object to the Planning Board acting as Lead Agency for these applications, pursuant to coordinated review under the State Environmental Quality Review Act Regulations § 617.6 (b)(3); and since the Planning Board conducted SEQRA reviews and, on July 23, 2025 (as set forth in PB#25-42) in PRELIMINARY Subdivision Approval Subject to Conditions, rendered an environmental determination that no significant adverse environmental impacts to result from the proposed land use actions (i.e. a "Negative Declarations" of "Neg Dec."), the ZBA is bound by the Planning Board's Neg Dec and the ZBA cannot require further SEQRA review pursuant to SEQRA Regulations § 617.6 (b)(3). The motion was seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Mr. Valentine, aye; Mr. Quinn, aye; Mr. DeRobertis, aye; Ms. Castelli, aye. Mr. Bonomolo was absent.

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 side yard for lot 1, street frontage for lot 2 as modified, and 280-A street frontage variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The Board agreed with the Planning Board decision, that there were no traffic issues. The applicant has agreed to increase the street frontage to sixty (60') feet for lot #2 and one-hundred (100') feet for lot 1. There will not be a precedence set as there is an existing flag lot in the immediate vicinity of this property.

2. The Board voted to override comment #1 of the letter dated October 6, 2025 from Rockland County Department of Planning at the applicant's request because the Applicants have mitigated, to the best of their ability, the concerns with the street frontage measurements on both lot #1 and lot #2; this project received a similar letter at the Planning Board where they were given a Preliminary decision and Negative Declaration.
3. The requested side yard for lot 1, street frontage for lot 2 as modified, and 280-A street frontage variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The Board agreed with the Planning Board decision, that there were no traffic issues. The applicant has agreed to increase the street frontage to sixty (60') feet for lot #2 and one-hundred (100') feet for lot 1. There will not be a precedence set as there is an existing flag lot in the immediate vicinity of this property.
4. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.
5. The requested side yard for lot 1, street frontage for lot 2 as modified, and 280-A street frontage 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. The Board agreed with the Planning Board decision, that there were no traffic issues. The applicant has agreed to increase the street frontage to sixty (60') feet for lot #2 and one-hundred (100') feet for lot 1. There will not be a precedence set as there is an existing flag lot in the immediate vicinity of this property.
6. 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.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested side yard for lot 1, street frontage for lot 2 as modified, and 280-A street frontage variances are APPROVED; with the following SPECIFIC CONDITIONS:(1) Subdivision plans to be updated with sixty (60") street frontage for lot #2 and one-hundred (100') feet for lot 1; 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.

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(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.

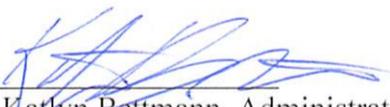
(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown 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 side yard for lot 1, street frontage for lot 2 as modified, and 280-A street frontage variances are APPROVED; with the following SPECIFIC CONDITIONS:(1) Subdivision plans to be updated with sixty (60") street frontage for lot #2 and one-hundred (100') feet for lot 1; was presented and moved by Mr. Valentine, seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye. Mr. Bonomolo was 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: October 15, 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- T.B.D.

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

TOWN CLERK'S OFFICE
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DECISION

SIDE YARD VARIANCE APPROVED.

To: Helen Strilec Schatiloff
86 Old Middletown Road
Pearl River, New York 10965
FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA #25-46
Date: October 15, 2025
Permit # BLDR-1780-25

ZBA#25-46: Application of Helen Strilec Schatiloff for a variance from Zoning Code (Chapter 43) of the Town of Orangetown, Section 3.12, R-15 District, Group M, Column 9 (side yard: 20' required, 16.58 proposed) for an addition to an existing single-family residence. The premises are located at 86 Old Middletown Road, Pearl River, New York and are identified on the Orangetown Tax Map as Section 69.17, Block 5, Lot 34 in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, October 15, 2025 at which time the Board made the determination hereinafter set forth.

Helen Strilec Schatiloff appeared and testified.

The following documents were presented:

1. Architectural plans, proposed elevations dated April 16, 2025 signed and sealed by Michael R. Berta, A.I.A., (4 pages).
2. Proposed site location with the most recent revision date of June 3, 2025 signed and sealed by Michael R. Berta, A.I.A., (1 page).
3. A copy of ZBA#23-33 Zoning Board decision, from the meeting held on September 2, 2023.
4. Email correspondence between the homeowner and the Acting Deputy Inspector of the O.B.Z.P.A.E., (3 pages).

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

Helen Strilec Schatiloff testified that she is proposing this addition so that she can have a bathroom on the first floor of her home; that although this denial states that this is a two-story addition, these are vaulted ceilings not a living space; that the addition height is lower than the height of the existing dwelling.

Chairman Bosco stated that this is an octagon shaped roof, and the Board believes this to be one story.

Mr. Quinn stated that the addition does not extend further than the existing distance to the property line, for the main dwelling; that there is no second story to this addition as there is no living space.

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)(1), (2), (11), (12), (16) and/or (17); which does not require SEQRA environmental review. The motion was seconded by Mr. Valentine and carried as follows: Chairman Bosco, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye. Mr. Bonomolo was absent.

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 Mr. Valentine 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 variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The requested variance is minor in nature, as this addition does not extend further than the existing distance to the property line for the main dwelling. That this a one-story addition with twelve (12') foot ceilings.
2. The requested side yard variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The requested variance is minor in nature, as this addition does not extend further than the existing distance to the property line for the main dwelling. That this a one-story addition with twelve (12') foot ceilings.
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 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 requested variance is minor in nature, as this addition does not extend further than the existing distance to the property line for the main dwelling. That this a one-story addition with twelve (12') foot ceilings.
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.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested side yard 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.

TOWN CLERK'S OFFICE

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TOWN OF ORANGETOWN

(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 side yard variance is APPROVED; was presented and moved by Mr. Quinn, seconded by Ms. Castelli and carried as follows: Chairman Bosco, aye; Ms. Castelli, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye. Mr. Bonomolo was 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: October 15, 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- Glenn M.

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

TOWN CLERK'S OFFICE
2025 OCT 23 A 11:43
TOWN OF ORANGETOWN