

MINUTES
HISTORICAL AREAS BOARD OF REVIEW
October 14, 2025

MEMBERS PRESENT: Scott Wheatley, Chair
 Loren Plotkin
 William Walther
 Thano Schoppel
 Marjorie Galen

ABSENT: None

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

Scott Wheatley, Chair, called the meeting to order at 7:00 p.m. Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

<u>APPLICANTS</u>	<u>DECISION</u>	<u>HABR#</u>
<u>NEW ITEMS:</u> RIVER VIEW HOLDINGS, LLC. 29-31 Ludlow Lane Palisades, New York 80.06 / 1 / 30; R-80 zone	DENIED AS PRESENTED	HABR#25-05

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

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 7:30 P.M.

DATED: October 14, 2025

HISTORICAL AREAS BOARD OF REVIEW

BY: _____

Katlyn Bettmann
Administrative Aide

TOWN OF ORANGETOWN
2025 NOV 12 A 10:05
TOWN CLERK'S OFFICE

DECISION

DENIED AS PRESENTED

To: Margaret Garcia (River View Property Holdings, LLC.)
171 Kings Highway
Orangeburg, New York

HABR #25-05
Date: October 14, 2025
Permit # BLDR-7459-25

FROM: HISTORICAL AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR#25-05: Application of River View Property Holdings, LLC., for a review of a 40' by 80' greenhouse to be located at 29-31 Ludlow Lane, Palisades, New York. Chapter 12 of the Code of the Town of Orangetown, Section 12-4 (E), Historical Areas Board of Review.
Tax Map Designation: 80.06 / 1 / 30; R-80 zone

Heard by the HISTORICAL AREAS BOARD OF REVIEW at a meeting held on Tuesday, October 14, 2025 at which time the Board made the following determination:

Margaret Garcia, Architect, David Sirois, Contractor, appeared and testified.

The following documents were presented:

1. Greenhouse perimeter footing design plans, dated June 12, 2025 signed and sealed by Richard W. Gilbert, L.P.E., (6 pages).
2. Architectural plans, dated April 11, 2025 by Aurell Garcia Architect, R.A., (8 pages).
3. Exterior Elevations rendering, dated August 4, 2025 by Aurell Garcia Architect, R.A., (1 page).
4. Plot plan, dated May 8, 2025, revised on November 7, 2024, signed and sealed by Paul Gdanski, P.E., PLLC, (1 page).
5. As-Built Survey dated April 9, 2018 by Carl M Herrman, L.L.S.
6. Greenhouse design plans, dated May 15, 2025 signed and sealed by Alison M. Parker, L.P.E., (4 pages).
7. A letter of Authorization from River View Property Holdings, LLC., to Kerrie Bodrato Keating.
8. An Entity Disclosure Form for River View Property Holdings, LLC.

Margaret Garcia, Architect, stated that she is representing a family who's bought this property and for health reasons, they are wanting to have a greenhouse to grow their own organic vegetables for consumption; that this is going to be a building that is going to be used for their private use only; that there are actually three pieces of property that are being combined; that what she means is that these are still separate properties and are owned by the same owner; that there is the main portion of the property on the one lot; that this is a smaller lot that has two structures on it, a house and a barn; that there is a third piece of property that has no structures on it; that they are proposing to put the greenhouse in the back corner of this smaller lot; that the property sits on a shelf with a steep slope down to Lawrence Lane; that the greenhouse has been placed away from the street behind the barn; that there is substantial greenery in the area; that the greenhouse is going to be twenty (20') feet high at its highest peak and forty (40') feet by eight (80') feet; that they have a landscape plan that shows in more detail the greenhouse with a patio that's going to surround it and a tree scape that is going to be in front of it; that three of the sides have a natural terrain with natural full growth trees; that there are also full growth trees in other areas around the greenhouse, that augment with evergreen, and a line of evergreen bushes; that they have provided renderings that show different viewpoints; that there is a viewpoint shown which is based on if someone was standing in the property looking towards the greenhouse; that there is another viewpoint as if someone was standing at the driveway looking at the existing barn; that behind the barn it is possible to see a little bit of the greenhouse at that view; that the other viewpoint is if someone were to be standing at the other driveway, which goes to the main house; that the view at this point would be basically nothing other than greenery and the driveway; that they have also supplied the Board with an example of a building that the company produces, showing the structure is made of aluminum and polycarbonate; that the roof is completely clear and will capture light from anywhere; that the trees shown on the drawing are further up the hill, and behind the fence; that there is another rendering provided which is showing the structure itself, as well as the two doors; that there may be a light at the door and some path lighting; that the greenhouse will not be lit up at night and there will be no up facing lighting in trees and such; that there is no intentions of doing anything with lighting at nighttime, as there is no lighting included in these plans; that the patio surrounding the greenhouse will be natural bluestone; that there will be radiant heat installed under the gravel to provide heat into the greenhouse in the winter; that beside the door are fans, and there will be vents that are sucking out the hot air in the summertime;

that there will be water supplied to the greenhouse as well, but not via a sprinkler system; that they may bring some water through the flooring or underneath the gravel and then up onto the beds; that they have not yet determined the location for the mechanical system, however it will be internal to the greenhouse; that the noise level of the fans are considered to be at the same level as a refrigerator, per the manufacturer; that there will be excavation on the site as there will be a perimeter foundation wall on which the walls of the greenhouse sit; that they will need to dig down to fix those foundations; that their intention was to not spread out throughout the property and to be contained to one area that is secluded from the street and also from the other parts; that their landscape plan has not been finalized however they do have a patio that's going to be around the greenhouse and there'll be some plantings around it; that they no intention of building anything on the Southern lot that is also owned by this Owner; that this project has been in front of the Zoning Board of Appeals for the required variance and was approved; that they can ask their clients if they would like to make changes to the size of the greenhouse, however they have no authority to make that decision right now; that at this time they are not going to ask for a continuance.

David Sirois, stated that there will not be a misting system; that there will not be any grow lights; that there will be standard lighting for a greenhouse; that there is an underground overflow for the roof line, gutters and also any internal overflow; that there is a Caltech underground drainage system, which was designed by a land engineer, and is near the building; that the water will be self-contained within the property; that the system was engineered to store the water it until it slowly dissipates; that the system would only be loaded if there were to be a heavy rain; that this is not going to be loaded or won't fill up from water sprinkling; that the structure is designed to handle the snow load and the pitch is such that it wouldn't build up the pitch; that the engineering and the documents state that the greenhouse would withstand the Northeast and is designed handle the weather for this region; that they will also be re-growing plants for the property. They've been planting a lot of additional bushes and other species; that they're going to plant and grow, and then plant product from that greenhouse within the property; that he believes that the greenhouse is growing vegetables and also growing some plants that are vulnerable to the season change; that the owner has a large property; that this is a hobby where he likes plants, flowers and homegrown vegetables; that the owners perspective is the whole property as a 13 acre property and he wants to use it; that near the two entrances when looking past the existing barn to this property, which is the 29 - 31 Ludlow Lane address, the greenhouse is not really a visible structure from the road; that the renderings provided were meant to be a visual; that the planting plan, notes, and written description that would be required will be included in their final permit application; that the Southern property, owned by this owner, is just a tree lot.

Ms. Galen asked what kind of lighting would exist, and if there would be any light at night; that they are not heating this in the winter, it will be whatever heat is provided by the sun; that she understood the description of that change of the code to say that although a review in lieu of ACABOR may or may not come before this Board, but that is not what is presently before the Board, and that what is presented in front of the Board now is what they are to be making their decision of; that there is a 20 foot by 40 foot greenhouse at 141 or 143 Washington Springs Road, however their property is three quarters of an acre. And this is

Mr. Plotkin stated that he was considering recusing because he understood that the Board would be dealing with things like trees and water, but that is not usually the in their purview; the he understands that this is now going back to the building department to deal with the issues that may exist for the trees and the water; that he is going to be going along with the process and will be voting because it's on Lawrence Lane which could be badly hurt if the water and the trees would be taken in a wrong way.

Mr. Schoppel asked if there will be electrical outlets outside of the greenhouse and where will the water go; that if they were to have two smaller greenhouses in place of the one larger greenhouse it would seem to become almost a commercial looking kind of establishment; that the property that the owner has to the south, is that buildable property; that the property is big enough to build something on; that in terms of size, he recalls some years ago, that there was a property that came before the Board which was situated between Sneden's point and the graveyard; that the application wanted a huge house in there that the neighbors said was just simply inconsistent with the structures in the area; that the proposed dwelling then reduced the size of the proposal, if I'm not mistaken, to about 5,000 square feet;

that it is not unreasonable to say that even though an applicant has the right to build something due to their square footage of the property, that it doesn't necessarily mean that it is etched in stone; that at least two people on the board have serious concerns about with the scale of the greenhouse; that it may be that the applicants would like to ask for continuance to come back with something that might have a better chance of approval; that he makes the proposal that due to the scale of the proposed greenhouse in terms of the large amount of square foot of the footprint, he moves that this application be denied; that resulting from the fact that it is much larger in scale than is warranted in that area; that the greenhouse is just out of scale, due to the fact that it's on a two-acre lot, he feels that it is out of scale.

Mr. Walther stated that the face of the greenhouse that is being shown to the Board, on the plans provided, is facing North; that the roof that is to capture the light is a North facing roof, however the majority of the Southern sky will be shaded by trees; that the trees look very high on the drawing; that typically the South light is desirable for plants, unless, these are non to be Southern growing plants; that there is not to be any lighting that is going to come through the glass of the greenhouse, like a beacon on the Hudson River; that he would like to know if there will be heat provided to the plants in the winter; that are there to be fans and water, or will they have a sprinkler system or misting; that maintaining a certain level of humidity can be an issue; that he would like to know where the mechanical system will be located to supply the water for the heated floor, will it be internal or outside the greenhouse; that there are a lot of questions for an area that the Board looks to preserve; that in the 17 and 18 hundreds they did not have this type of greenhouse; that when water is involved they will need to be able to drain it, will there be a drainage system in place, will it be self-contained within the property, or does it go into a retention basin or something underground; that the drainage system documents were designed by an Engineer; that he would like to know if the glass will be heated for the snow to melt off; that he is thinking of the scale and wonders if the Applicant has done any research of other greenhouses that are not necessarily in Snedens landing, but along the Hudson River that is a community of homes; that he is asking if they have done any research to show the Board some kind of a precedence for this sized greenhouse; that they have stated that this greenhouse is for their own consumption, so would this greenhouse act as an incubator for other plants to be taken out of the greenhouse at a certain time and plant them elsewhere on the property; that he would feel better if the Applicant were to show the Board other examples of greenhouses that are this size, as this is a large 5,000 square feet structure; that this could be broken into two separate units that are 20 feet by 40 feet; that there are currently multiple structures on the property; that he has understood this to be one parcel; that the lots were being pulled together as a single parcel; that he would vote in favor of the project if they would include the Applicants being asked to investigate reducing the size of the greenhouse, due to the greenhouse being on the two acre property, not the 13 acres; that the greenhouse will sit on a two acre property with two existing structures; that scale wise, he feels that they are looking at a two acre property, and the greenhouse needs to fit the scale of that two acre property.

Chairman Wheatley stated that the height of the greenhouse is measured from the ridge; that in speaking to the height were any variances needed at all for this greenhouse, height or side yard; that it sounds as though there will be some screenings with arborvitaes; that there is to be no artificial lighting in the greenhouse; that there is a concrete patio around the greenhouse and he would like to see the samples of what that's going to be, or for this to be described, is it pavers or like a slate; that as far as utilities, it sounds as though there will be electric fans and water, but no artificial lighting; that he would like to know what the noise will be like for these utilities; that he did notice a silt fence around the working area, which is the black fence being put up with hay bales; that he would like to know if they noticed any water problems that were addressed in the area that they are currently working in; that he is wondering if this application will also be reviewed by ACABOR for the landscaping that is being put around the greenhouse; that this Board conducting reviews that ACABOR would previously review is something new for them; that as they will be taking on these reviews he would like to know if the Applicant has an idea or a plan of their landscaping; that whatever they are to be putting around the greenhouse in terms of the screening, the Board would like to see; that this project could be a continuation, based on the size of the greenhouse and so that the Board can have a better understanding of what the landscaping is; that the lot with the greenhouse cannot be subdivided, as this is already a two acre lot; that he understands the concerns brought to the Boards attention by the members of the public; that the Board believes this application should be a continuation because there are some more things they would like to see, as far as landscaping plan, which we do now need to be involved in;

that he would like to see where these various plantings are and what is going to be on plan; that this should be presented to the Board because it will help absorb some of the water; that they cannot at this time vote in either direction, but this could be made a condition, that an architectural landscape plan of the site around the greenhouse for what will be planted outside the greenhouse is to be supplied; that if they were to ask for a continuation, they could return with a single page plan to show what the landscaping is going to be; that this landscaping will absorb a lot of this groundwater because of the size of the trees they're putting in around the greenhouse and through the lot;

Stefanie Schera, Deputy Town Attorney, stated that she would like to remind the Board to tailor their considerations to what is iterated in the town code as far as what they are permitted to consider purposes of this application, and what's within their purview as the Historical Board; that in speaking of the Board member, Loren Plotkin's, decision whether or not to recuse himself, this was based upon the contents of his email where it is stated that he is an abutting resident to the property; that so the record is clear for the application, for purposes of this evening, the application that the Board is reviewing is strictly regarding the building construction of the greenhouse; that the Board is not to discuss any type of tree removal, tree growing on this particular part of the property where the greenhouse is going to be constructed; that as Mr. Plotkin indicated in his comments, those issues regarding drainage as well as the trees, which she understands there are some concerns about at this time, those are code enforcement matters that will be strictly handled by the building department; that they will be looking into those matters and they will be deciding, based upon their professional opinions, if the property is conforming with the town code, as far as the drainage system is concerned; that as far as the tree removal, if there are any or will be any concerns with respect to the other parcel that the homeowner owns, right now for this meeting, the Board is going to make a determination as to whether or not the structure of the greenhouse conforms with the historical area; that the Historic board is going to be sitting in as ACABOR, as far as it pertains to Landscaping; that there has been a recent revision to the Town code that she believes has been distributed; that essentially, if there is a home that is in the historical district and the building department would refer that home ordinarily to ACABOR for review of whatever project the homeowner is undergoing, this will solely be heard by the historical board; that essentially if the application had anything to do with landscaping or anything like that the Board would take this into consideration of how the landscaping conforms with the community, the appearance of it and make a determination if it's satisfactory; that the trees previously mentioned, it is her understanding that they are on a different parcel; that means that the application that's before the Board, what's contained in the application is the structure and the construction of the greenhouse; that the other issue that has been raised by many other residents pertaining to the drainage as well as tree removal, those are code enforcement issues, the building department would have to be involved in making determination if whatever work is being done conforms with the town code; that to the extent that this application does speak to any type of trees and landscaping or anything like that, the Board could weigh in on the appearance of those trees, bushes, whatever is being planted as far as the greenhouse is concerned or what might be surrounding the greenhouse, that the Board can consider in their deliberations; that to explain how the process works with regard to these types of projects, going back to the basics, whenever someone is applying for or wants to undergo or wants undertake a project that would require a permit, they have to go to the building department; that then this project in and of itself would require a permit from the building department; that at that point it's in the building department's discretion to determine whether or not that project needs to be referred to a board for review; that in this case here this evening because the greenhouse is something that requires a permit, the building department saw that it is in the historical district and that is why it is for the Boards consideration this evening; that as far as the landscaping is concerned, that would need to again be reviewed, an application would have to be put forward to the building department and the building department would have to make a determination if that would be something that the Board would have to review; that the way they make the determination is the extent of the landscaping and other items that they might consider which would determine if it is appropriate for a board to review that project; that project in front of the Board now is strictly the greenhouse structure; that in the future there may be a referral to the Board for review of any type of landscaping that might go around the greenhouse, however at this time, that is not the case; that is her further understanding, that this application may not have been determined to require a Board review by the building department, had it not been in the Historic District; that it is the building department's discretion as to what gets referred to which board and why; that in the event that the application was referred to the Board and there was a landscaping plan that the homeowners intended to provide;

that if the building department reviewed it and they would typically refer that application to ACABOR, then it would now be referred to the historical board because the house is situated in the historic district; that she would like to caution the Board again, that there can be a continuance for further exploration of landscaping issues, but again, she has to make sure as the Boards legal advisor that she is properly advising them of what they are allowed to consider for purposes of this particular application; that before the vote is made she suggests that the Board go into executive session briefly; that she wants to make sure that she is being clear.

Katlyn Bettmann, Administrative Aide, stated that she confirmed with the Acting Deputy Inspector that if this property was not in the historical district and he was to conduct a review of the application, he would not refer it to ACABOR. Therefore, the Building Department did not require a landscaping plan to be submitted for Board review.

PUBLIC COMMENT:

Leslie Smolan, 7 Lawrence Lane, Palisades, stated that she had questions for the Architect; that the last time they appeared at the Board, she believed to hear them say that there was a whole new tree scaping scheme that was going in; that they are putting in quite a few trees across the property; that it is now pretty flat and open, and the plan does show that they are to be adding quite a few trees through that whole section; that her question is that they are they are talking about a 5,000 square foot greenhouse, a 3,200 square foot greenhouse rather, and that this will all requires water; that if they're going to be planting massive amounts in this space, will there be an irrigation system that's been planned to water all of these new trees and are to be growing here; that it is a big property, and it is one property; that she believed it to be zoned a certain way; that the owners have not communicated to anyone in the neighborhood for any of the plans; that they have clear cut a whole section of the property below this that was always forested and which always took runoff; that despite approaching the Building Department and requesting that they come investigate this, nothing's happened; that this seems to be the only hearing that they will have the opportunity to raise these issues about water, about clear cutting; that the water is pouring off the hillside, and is in people's basements on 7 Lawrence Lane; that this is the same owner who's focused on trees, building, and plants; that she heard rumors of fountains going in, gardens down below the space that has been cleared; that they have been given no information, and there's no plans; that even the landscaping, they would like to know what the plan is, what the water plan is, and to have an engineering study done and see what they're going to do about water flowing off this massive amount of property down to the rest of the community.

Julie Katz, 11 Lawrence Lane, Palisades, stated that she lives directly below this adjoining lot that has seemed to make a defining line in this project tonight; that there are two lots on top of Ludlow Lane that total 13 acres, with the castle and this project; that this project of the greenhouse is in the setback of another one of their own properties, which they received their variance for last month; that then which property is the one that adjoins hers, which she is told they cannot discuss anything other than the lots that this greenhouse sits on; that she believes she is part of the third lot which adjoins their property; that she is directly east of the dwelling; that in fact she is connected to this property; that although she is 80 feet below them, and will not see the greenhouse, that the people on Ludlow Lane will to have to bear that visually; that she does have concerns on the drainage situation that this greenhouse is going to create; that they are trying to be heard by as many people as possible because it is such an environmentally sensitive area; that not just environmentally and how we move water through it, which is becoming a bigger and bigger problem, also maintaining the integrity of a historic district; that putting in a 40 foot by 80 foot greenhouse, even though they're three properties together, is pretty extensive; that they are not necessarily going to be living there for the next hundred years either, so thinking forward to usages, what will a 40 foot by 80 foot greenhouse do to the value of the neighborhood; that this greenhouse is industrial size; that this is one of, what she believes is 33 homes these people have around the world; that these representatives had testified that the owners have the exact same greenhouse in Texas on their ranch; that they know how they feed themselves from it and what they can do; that she finds it hard to believe that they need two 5,000 square foot structures; that she knows this is not 5,000 interior square feet, but with the added patio wing it is a much larger structure.

Susan Nenemesdy, 19 Lawrence Lane, Palisades, stated that she does not have concerns about the greenhouse; that she does not care what the greenhouse looks like, as she cannot see the greenhouse from her house; that her concern is that by approving this greenhouse now it will open a chain reaction of other issues; that the problem is the clear cutting of the trees; that the water does not dissipate into this ground, it doesn't sink down; that the water comes down to onto Lawrence Lane; that they have had many issues with the water seeping through the walls down there; that the other point is that this is three properties; that these people can subdivide and sell off any one of those properties at any time; that this greenhouse sits on a property of what size, 2 acres; that if they do decide to turn around and sell the property they can, and that sets a precedent for other two-acre lots;

that this would mean that she could build the same, as she also has two acres of land; that her plan's would look similar to this, as she also has two houses on her property; that they could sell the whole property or if they decide to sell the two acre lot with a 3,200 square foot greenhouse; that many years ago, the one property that comes down to Lawrence Lane was actually a separate lot as well; that when the original owners sold it, they were asked to please eliminate that one lot to make one larger property; that this was done so they could not sell off that piece to someone; that this change was made, and so that used to be four lots and not three.

Carol Baxter, 34 Lawrence Lane, Palisades, stated that she is not specifically commenting on the greenhouse, or the water concerns right now; that she feels there is something about the process here; that when someone buys a house and they do renovations or they do reconstruction, there is a proper channel; that they go to the building department, and they are sent to different boards; that when someone has been on the property for a while and then they start adding different projects onto it, that process gets diluted; that it seems to be that there are other things happening on that property that are getting lost by an official look over; that if there is something else being planned than it seems like it should be brought before a land use board; that to bring a code enforcer out that can't get on the property, seems to be ineffective to what's really happening, whether it be on this piece of property or another piece of property; that she believes the process is confusing because there are three different lots, yet this one is overarching the process and doing so in different pieces; that then they are having to have a code enforcer now come out to look at a project that hasn't been approved in any way, or any of the environmental reviewed; that this area could be a critical environmental area.

After a Brief Recess, the Meeting resumed:

FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), found as fact, that: The application as presented, would not adversely affect the Historical Areas and the surrounding area. The design and materials for the proposed 40' by 80' greenhouse:

DECISION:

In view of the foregoing and the testimony before the Board, the application presented is **DENIED**.

The foregoing resolution to DENY the application was presented and moved by Thano Schoppel, seconded by William Walther, and carried as follows: Thano Schoppel, aye; William Walther, aye; Scott Wheatley, aye; Marjorie Galen, aye; Loren Plotkin, 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: October 14, 2025

HISTORICAL AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY: - 
Administrative Aide, Katlyn Bettmann

DISTRIBUTION:

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TOWN OF ORANGETOWN