

ZONING BOARD OF APPEALS

March 4, 2026

MEMBERS PRESENT: PATRICIA CASTELLI, (ACTING CHAIRPERSON)
ROBERT BONOMOLO, JR.
BILLY VALENTINE
JUSTIN KRAMER, ALTERNATE

ABSENT: MICHAEL BOSCO, CHAIRMAN
ANTHONY DEROBERTIS

ALSO, PRESENT: Denise Sullivan, Deputy Town Attorney
Audrey Lupachino, Planning Assistant
Kate Belfiglio, Senior Clerk Typist
Patrizia Beers, Official Stenographer

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

PUBLISHED ITEMS
DECISIONS

APPLICANTS

NEW ITEMS:

VENTURE TOGETHER INC ZBA#26-08
119 Franklin Avenue
Pearl River, New York
68.20 / 2 / 18; RG
LOT AREA, LOT WIDTH, FRONT YARD,
REAR YARD, & OFF-STREET PARKING VARIANCES
APPROVED.

JDF HOMES, LLC. ZBA#26-09
658 Western Highway
Blauvelt, New York
70.09 / 1 / 63; R-15
FLOOR AREA RATIO, FRONT YARD, & HEIGHT
VARIANCES APPROVED AS MODIFIED.
UNDERSIZED LOT ACKNOWLEDGED.

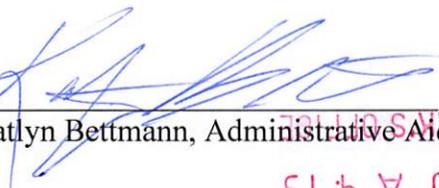
LADEHOFF/LUNGI ZBA#26-10
100 Depot Place
APPROVED.
66.53 / 2 / 27; RG-6
SIDE YARD VARIANCES APPROVED.
GRAVEL DRIVEWAY VARIANCE REMOVED.

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 8:30 P.M.

Dated: March 4, 2026

By 
Katlyn Bettmann, Administrative Aide

TOWN CLERK'S OFFICE
2026 MAR 10 A 9:13
TOWN OF ORANGETOWN

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

DECISION
LOT AREA, LOT WIDTH, FRONT YARD, REAR YARD, & SECTION 3.11 OFF
STREET PARKING VARIANCES APPROVED

To: Timothy Ryan(Venture Together, Inc.)
6 Courtland Street
Middletown, New York

ZBA #26-08
Date: March 4, 2026
Permit # BLDC-7358-25

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#26-08: Application of Venture Together Inc., Owners, for variances from Zoning Code (Chapter 43), Section 3.12, RG District, Group Q, Column 5(Lot Area: 3 Acres required, .38 proposed), Column 6(lot width: 150' required, 140' existing), Column 8(front yard: 50' required, 30.3' & 48.2' existing), Column 11(rear yard: 50' required, 19.8' existing), and from Section 3.11 column 6 (off street parking(1/150 S.F.) 22 spaces required, 14 existing) for a two-story addition to an existing physician's office to be made into a day habilitation facility/support services for people with intellectual/developmental disabilities. The premises are located at 119 Franklin Avenue, Pearl River, New York and identified on the Orangetown Tax Map as Section 68.20, Block 2, Lot 18 in the RG zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, March 4, 2026 at which time the Board made the determination hereinafter set forth.

Timothy Ryan, Architect, Tom Skrabel, Engineer, Marie Pardi, Chief Project Officer from Venture Together, appeared and testified.

The following documents were presented:

1. Site plans, Venture Together, Inc. dated April 17, 2025 signed and sealed by Thomas W. Skrable, L.P.E. (1 page)
2. Survey dated September 26, 2023 signed and sealed by James G. Scheuermann, L.S.
3. A letter dated July 22, 2025, from Cirillo Architects, P.C.,(1 page).
4. Planning Board Decision PB#25-54 Final Site plan approval, from the meeting held on September 25, 2025.
5. A Short Environmental Assessment Form, dated August 8, 2025, signed by Peter A. Cirillo, (4 pages).
6. An Entity Disclosure Form, dated October 23, 2025, signed by Celia Solomita, with a copy of the list of 2025 Board of Directors Directory, (4 pages).
7. A letter dated February 10, 2026 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
8. A letter dated February 27, 2026 from Rockland County Sewer District No. 1 signed by Nicholas King, Engineer II.

Acting Chairperson Castelli, made a motion to open the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

Timothy Ryan, Architect, testified that the plan is to utilize the existing building for a day facility, which Marie can speak better to the services that Venture provides; that the only change in the footprint is the addition of the stairwell in the rear, which is an emergency exit from the second floor as per O-P-W-D-D code requirements; that the existing building was a doctor's office; that the first floor was occupied by a doctor, and second floor is vacant; that they will now utilize both floors; that these are basically interior renovations; that they are also installing some additional windows, but other than that, just the enlargement for the stairwell; that everything is inside of the building.

Marie Pardi, Chief Project Officer from Venture Together, testified that Venture Together provides services for people with developmental disabilities; that they have been in the County for 55 years; that they have eight different day programs in Rockland County; that this is a day habilitation program for adults, and the adults that come into the program do well; that Venture Together picks up the attendees, therefore they do have three vans that are parked at the facility; that they take them out for different social and recreational activities; that they may go on some trips to a bowling alley, something like that, and at the end of the day they get taken home; that those who do not attend the trips, remain on premises; that there are no activities done outside, at the location, because there is not room for outside exhibits, they would need to go elsewhere; that the general hours of operation are 8 A.M. to 4 P.M.;

that the attendees are there between 9:30 A.M. and 2:30 P.M.; that the staff would remain until around 4 P.M., for paperwork and other tasks; that they operate five days a week, closed on weekends and approximately seven holidays throughout the year; that they have thirty attendees, plus ten staff members; that the group attending will be a younger group, people in their twenties just coming out of High School;

Tom Skrabel, Engineer, testified that this location would have less traffic activity than prior with the doctor's office; that with a doctor's office, patients come and go all day; that with this location they will come in the morning, and leave in the afternoon; that he would like to add that there wasn't a perfect fit for parking requirement for this type of use; that they were conservative with the parking, they need the variance, but with a practical standpoint, they do not need to have a full parking lot; that they have the three vans and a maximum of 10 staff, so the lot is not going to be full; that this works out perfect for this particular user.

Acting Chairperson Castelli asked how many days a week will they be operating; how many people will be on premises; what ages are the attendees; are there similar facilities in other areas; and that this is wonderful.

Denise Sullivan, Deputy Town Attorney, asked if the thirty people in attendance included the staff, or is it plus staff; and how many staff are in addition to the 30 attendees.

Mr. Valentine stated that they are not adding square footage, other than the stairs in the back; that this is interior renovations; asked about the operations of their plan; stated that they are not increasing the footprint, but asked about the parking spaces at the location; asked if they will be increasing the traffic and if so how are they making up for that; asked if the attendees generally get dropped off to the location or picked up; stated that there is street parking in pearl river, if there is overflow that is needed; asked if there was any objections from the neighbors, that they are aware of; asked if there was to be any outdoor activities planned; and re-confirmed that they are not adding any square footage.

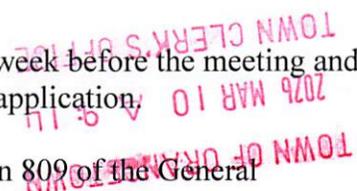
On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Acting Chairperson Castelli moved for a Board determination that since the Planning Board noticed its intent to declare itself Lead Agency and distributed that notice of intention to all Involved Agencies, who 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 conducted SEQRA reviews and, on March 26, 2025 (as set forth in PB #24-49) for Final Site Plan approval subject to Conditions, rendered environmental determinations of 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 Mr. Valentine and carried as follows: Acting Chairperson Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye; Mr. Kramer, aye. Chairman Bosco, and Mr. DeRobertis were absent.

Public Comment:

Eileen McAree, stated that she was concerned when she saw the two-story addition, but now she understands what they mean; that she thought they were going up, but it seems like a nice organization.

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.



Acting Chairperson Castelli 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 lot area, lot width, front yard, rear yard, and § 3.11 off-street parking variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. They do not need more than 14 parking spaces, as their attendees are picked up and dropped off; that the parking spaces are for the staff and the three vans used for transportation.
2. The requested lot area, lot width, front yard, rear yard, and § 3.11 off-street parking variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. They do not need more than 14 parking spaces, as their attendees are picked up and dropped off; that the parking spaces are for the staff and the three vans used for transportation.
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 lot area, lot width, front yard, rear yard, and § 3.11 off-street parking 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. They do not need more than 14 parking spaces, as their attendees are picked up and dropped off; that the parking spaces are for the staff and the three vans used for transportation.
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 lot area, lot width, front yard, rear yard, and § 3.11 off-street parking 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.

TOWN OF ORANGETOWN
2026 MAR 10 9 AM
TOWN CLERK'S OFFICE

(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 lot area, lot width, front yard, rear yard, and § 3.11 off-street parking variances are APPROVED; was presented and moved by Mr. Valentine, seconded by Ms. Castelli and carried as follows: Acting Chairperson Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye; Mr. Kramer, aye. Chairman Bosco, and Mr. DeRobertis were absent.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: March 4, 2026

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
2026 MAR 10 A 9:14
TOWN OF ORANGETOWN

DECISION

FLOOR AREA RATIO, FRONT YARD, AND HEIGHT VARIANCES APPROVED AS MODIFIED(FAR 21.16%, HEIGHT TO BE 24'6"). UNDERSIZED LOT ACKNOWLED.

To: Joseph DiFilippo(JDF Homes, LLC.)
201 Strawtown Road
West Nyack, New York

ZBA #26-09
Date: March 4, 2026
Permit # BLDR-8571-2025

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#26-09: Application of JDF Homes LLC., Owners, for variances from Zoning Code (Chapter 43), Section 3.12, R-15 District, Group M, Column 4(floor area ratio: 20% permitted, 21.69 % proposed), Column 8(front yard: 30' required, 27' 11" proposed), column 12(height: 20' permitted, 29' 5" proposed), Section 5.21(c)(e) small lot applies, for a new single-family residence. The premises are located at 658 Western Highway, Blauvelt, New York and identified on the Orangetown Tax Map as Section 70.09, Block 1, Lot 63 in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, March 4, 2026 at which time the Board made the determination hereinafter set forth.

Joseph DiFilippo, Owner, Wayne Guskind, Architect, appeared and testified.

The following documents were presented:

1. Site plans, JDF Homes, LLC., Residence with the most recent revision date of January 30, 2026 signed and sealed by Wayne J. Guskind, R.A., (8 pages).
2. A Short Environmental Assessment Form, dated January 26, 2026, signed by Joseph DiFilippo, Owner, (3 pages).
3. An Entity Disclosure Form, dated January 26, 2026, signed by Joseph DiFilippo, Owner, (3 pages).
4. A letter dated February 10, 2026 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
5. A letter dated February 27, 2026 from Rockland County Sewer District No. 1 signed by Nicholas King, Engineer II.

Acting Chairperson Castelli, made a motion to open the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

Joseph DiFilippo , Owner, testified that the attic is where the HVAC and forced air issues arise; that if they drop the pitch of the roof, they may have problems with that when it comes to repairs; that if issues arise with the equipment they want to be able to work up there comfortably; that they would need to see how the ridge works and the pitch; that it affects the bedrooms as well, it makes them smaller, a tiny bedroom.

Wayne Guskind, Architect, testified that recently this property had a fire; that he would like to add to the record that the pictures provided are of the location post fire as well as a few photos of the house pre-fire and boarded up; that his client contacted him and wanted to take down the house; that all that is left is a concrete wall and slab; that they would want to create a 2-story house, formally a 1-story; that other homes nearby are similar in style; that the backyard is sunken down in the back, so the height doesn't seem as high as it is; that the lower-level plan, first floor, is to come through the vestibule with a small porch, dining room/kitchen, office, one car garage, mud room in the back, common hallway, master bedroom, and other bedrooms; that the garage will be similar to what was there previously; that there will be steps in the back; that the rear elevation shows deck in the back and the same kind of elevation information; that the renderings is what they are proposing; that this is an appealing house to look at; that they want to put a front porch and vestibule to add character to the house and for use for the owner; that this would be in the front set back, but minimally as the sight goes down the slope; that the floor area ratio is over what is permitted; that they worked with the existing footprint, and added a little; that the numbers are what they are, and they don't feel like they are too excessively far from what modern homes require; that this garage is included in the calculations, often it is not; that if there were to take out the garage they would be under the 20%; that the front yard requirement is 40'; that right now they are at 41.4'; that reducing it down, they feel will be a short depth of the house; that they felt like adding the vestibule to create a small porch for the character of the house and open-air porch; that this is considered to be a small lot, therefore there is a height issue; that it is what it is, and the houses are not packed on top of each other; that there are 50' to 60' between houses; that another house nearby has a similar height; that if this was not a small lot it would be 31.4';

that they are not conforming, due to this lot being a small lot, and if this were not, then they would be conforming; that they think this is a nice-looking home and that it would benefit the neighborhood; that this will have all of the amenities of a modern home; that the back of the property slopes, and they are working with mean elevation; that the front is not as high; that the attic is 8' 6"; that if needed they could reduce the height; that the way the setback is, they are at 27.11', and they could make it 27.6'; that the complication is that they have an existing footprint that they are locked into a certain size and to make the second-floor work to where we want it, it is going to be tricky; that they can't do anything left to right, but they may be able to move the back in by 6" or 8"; that it is 70' feet in total, because right now they are allowed 20% floor to area ratio; that maybe they can lose 70'/80' of it and get it down below 21%; that he believes they can come down 80 square feet, but 100 square feet might be much; that if it is a condition of approval, then they will work it out.

Acting Chairperson Castelli stated that they mentioned the house next door, and asked if they knew the size of that lot; asked what the measurement in the front is; asked if there was any way to lower the height; asked if they were to bring down the height by 2' what would that bring it down to; and asked if there is anything that can be done to reduce the floor area ratio.

Mr. Valentine asked why they need the 29' height, and why staying in 20% for floor area ratio is so hard; asked how tall the attic is; stated that if they reduced the attic to 6' they would be conforming; asked if the house were to be 3,150 square feet, how would that affect the house.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Acting Chairperson Castelli 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. Bonomolo and carried as follows: Acting Chairperson Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye; Mr. Kramer, aye. Chairman Bosco, and Mr. DeRobertis were absent.

Public Comment:

Gail Olson, testified that she lives next door; that she is excited to not see any empty lot anymore; and that she feels this is beautiful, and that her house is actually higher.

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.

Acting Chairperson Castelli 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 floor area ratio, front yard, and building height variances as modified will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The applicants have agreed to reduce the floor area ratio and building height (FAR 21.16%, HEIGHT TO BE 24'6").

2. The requested floor area ratio, front yard, and building height variances as modified will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The applicants have agreed to reduce the floor area ratio and building height(FAR 21.16%, HEIGHT TO BE 24'6").
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 floor area ratio, front yard, and building height variances as modified 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 applicants have agreed to reduce the floor area ratio and building height(FAR 21.16%, HEIGHT TO BE 24'6").
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 floor area ratio, front yard, and building height variances are APPROVED; with the Specific Conditions (1) floor area ratio to be reduced to 21.16%; (2) height to be reduced to 24'6"; 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

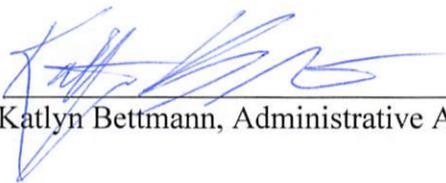
Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

The foregoing resolution to approve the application for the requested floor area ratio, front yard, and building height variances are APPROVED AS MODIFIED; and FURTHER RESOLVED, with the Specific Conditions (1) floor area ratio to be reduced to 21.16%; (2) height to be reduced to 24'6"; was presented and moved by Acting Chairperson Castelli, seconded by Mr. Valentine and carried as follows: Acting Chairperson Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye; Mr. Kramer, aye. Chairman Bosco, and Mr. DeRobertis were absent.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: March 4, 2026

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 CLERK'S OFFICE
2026 MAR 10 A 9:14
TOWN OF ORANGETOWN

DECISION

SIDE YARD VARIANCES APPROVED. GRAVEL DRIVEWAY VARIANCE REMOVED.

To: Scott Oliver (Ladehoff/Lunghi)
36 Waverly Avenue
Brooklyn, New York

ZBA #26-10
Date: March 4, 2026
Permit # BLDR-8596-2026

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#26-10: Application of Jacob Ladehoff and Amy Lunghi, Owners, for variances from Zoning Code (Chapter 43), Section 3.13, RG-6 District, minimum side yard(feet)(side, both: 25' required, 16' proposed), Section 6.36 drainage and surfacing, all open parking areas shall be properly drained, and all such areas shall be paved, for a two-story addition with a gravel driveway at an existing single-family residence. The premises are located at 100 Depot Place, S. Nyack, New York and identified on the Orangetown Tax Map as Section 66.53, Block 2, Lot 27 in the RG-6 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, March 4, 2026 at which time the Board made the determination hereinafter set forth.

Joseph Palazollo, Architect, appeared and testified.

The following documents were presented:

1. Site plans, Ladehoff and Lunghi Residence dated February 4, 2026 signed and sealed by William Scott Oliver, R.A., (3 pages).
2. Survey dated June 12, 2007 signed and sealed by Steve J. Collazuol, P.L.S.
3. A project narrative, dated February 6, 2026 (1 page).
4. A letter of Authorization to Scott Oliver/"norooft Architects", signed by Jake Ladehoff and Amy Lunghi, dated February 4, 2026.
5. A letter dated February 27, 2026 from Tristan Schwartzman, 108 Depot Place, Nyack, submitted by the Applicant at the Zoning Board meeting of March 4, 2026.
6. A letter dated February 27, 2026 from Linda Dellalio, 54 Voorhis Avenue, Nyack, submitted by the Applicant at the Zoning Board meeting of March 4, 2026.
7. A letter dated February 27, 2026 from Donald J. McMahon, 98 Depot Place, Nyack, submitted by the Applicant at the Zoning Board meeting of March 4, 2026.
8. A letter dated February 27, 2026 from Pamela Galgano, 126 Depot Place, Nyack, submitted by the Applicant at the Zoning Board meeting of March 4, 2026.
9. A letter dated February 27, 2026 from Kiyomi Higuchi, 89 Depot Place, Nyack, submitted by the Applicant at the Zoning Board meeting of March 4, 2026.
10. A letter dated February 27, 2026 from Debra L. Pirsos, 97 Depot Place, Nyack, submitted by the Applicant at the Zoning Board meeting of March 4, 2026.

Acting Chairperson Castelli, made a motion to open the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

Joseph Palazollo, Architect, testified that this is his first time appearing before the Zoning Board; that he is here because of the existing 1895 home that predates the zoning code; that the blue portion of the plans is what is in question; that the side view highlights the existing; that for the proposed addition, they do not have any encroachment into the setbacks; that they worked carefully with the design to make sure it doesn't go back into the setback areas; that they are not adding a gravel driveway, it is an existing concrete driveway, and they are not changing that; that they heard about impervious surfaces, but there is no need for it because there is an existing driveway; that he has some signed letters from the neighbors to present to the Board; that they calculated 12' on one side and 4' on the other side; that they are keeping this in the setbacks; that what was flagged for a variance is the existing structure; that the nonconformance is the existing bump out on the house, which has existed since 1895.

Acting Chairperson Castelli stated that she reads the side yard as 16' proposed and 25' required; that it says 12' on the plans, and asked if 16' is what is proposed.

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Mr. Valentine stated that they are not going any closer to the side yard; that the bulk table should state that the required setback is 25' with 15.37' existing to the little bump out; asked what the floor area ratio is supposed to be in this zone; and stated that they may be looking at the lot coverage instead of the floor area ratio, but if not they applicant may need to return for an additional variance.

Mr. Bonomolo stated that they are not proposing anything new.

Denise Sullivan, Deputy Town Attorney, stated the gravel driveway came up on a plan, and that the bulk table needs to be attended to.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Acting Chairperson Castelli 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. Bonomolo and carried as follows: Acting Chairperson Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye; Mr. Kramer, aye. Chairman Bosco, and Mr. DeRobertis were 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.

Acting Chairperson Castelli 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 bump outs, which are what is creating the need for this variance, has existed with the structure since 1895; there will be no gravel driveway, they intend to keep the current concrete driveway.
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 bump outs, which are what is creating the need for this variance, has existed with the structure since 1895; there will be no gravel driveway, they intend to keep the current concrete driveway.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.

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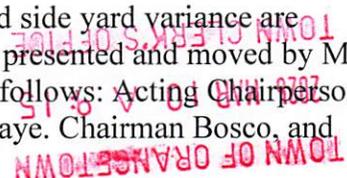
4. The requested side yard variance although substantial, and affords benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. The bump outs, which are what is creating the need for this variance, has existed with the structure since 1895; there will be no gravel driveway, they intend to keep the current concrete driveway.
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, THERE IS TO BE NO GRAVEL DRIVEWAY; 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.

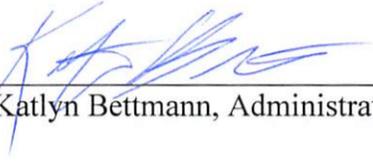
The foregoing resolution to approve the application for the requested side yard variance are APPROVED, THERE IS TO BE NO GRAVEL DRIVEWAY; was presented and moved by Mr. Bonomolo, seconded by Acting Chairperson Castelli and carried as follows: Acting Chairperson Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye; Mr. Kramer, aye. Chairman Bosco, and Mr. DeRobertis were absent.



The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: March 4, 2026

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

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