

ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(914) 359-8410 (ex. 4331)

Date: June 8, 2020

TO: OBAPAE

Environmental Management and Engineering
Rockland County Sewer District #1 ✓
New York State Dept. of Transportation
Palisades Interstate Park Commission
Orange and Rockland Utilities
Orangetown Highway
Fire Prevention (Performance Standards)

Rockland County Drainage ✓
Rockland County Health ✓
Rockland County Planning ✓
Rockland County Highway ✓

Review of Plans: 323 Blauvelt Road, Pearl River, NY

Section 69.09 Block 5 Lot 73 R-15 zone

This matter is scheduled for:

Chapter 43, R-15 District, Group M, Section 3.12, Column 10 (Total Side Yard: 50' required, 39.3' existing to ramp and 43.9' existing to deck) for an existing wood ramp and deck at an existing single-family residence.

Please review the information enclosed and provide comments. These comments may be mailed, e-mailed or faxed to the Zoning Board Office.

If your Agency does not have any comments at this time, please respond to this office by sending back this sheet.

- US Postal: 20 South Greenbush Road, Orangeburg, NY 10962
- Email to Zoning Board: darbolino@orangetown.com or
- Fax to the Town of Orangetown ZBA @845 359 8526

Zoning Board Meeting Date: July 15, 2020

- () Comments attached
- () No Comments at this time. Please send future correspondence for review.
- () No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.
- () This project is out of the jurisdiction of this agency and has no further comments.

This project is before the Zoning Board on **Wednesday, July 15, 2020**. Kindly forward your completed review to this office by July 15, 2020.

Reviewing Agency _____

Name _____ date: _____

Signature: _____

Thank you, Deborah Arbolino

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: 6/5/20

2020 LAND USE BOARD APPLICATION

<i>Please check all that apply:</i>	
<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential
<input type="checkbox"/> Planning Board	<input type="checkbox"/> Historical Board
<input checked="" type="checkbox"/> Zoning Board of Appeals	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Consultation
<input type="checkbox"/> Number of Lots	<input type="checkbox"/> Pre-Preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Interpretation
<input checked="" type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: _____

ASSIGNED _____

INSPECTOR: _____

Referred from Planning Board: YES / NO
If yes provide date of Planning Board meeting: _____

Project Name: 323 Blauvelt Road, Pearl River, New York

Street Address: 323 Blauvelt Road, Pearl River, New York

Tax Map Designation:

Section: 69.09 Block: 5 Lot(s): 73
Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the north side of Blauvelt Road, approximately
975 feet west of the intersection of Ehrhart Road, in the
Town of ORANGETOWN in the hamlet/village of (none).

Acreage of Parcel .068
School District Pearl River
Ambulance District Pearl River
Water District Pearl River

Zoning District Orangetown
Postal District Pearl River
Fire District Pearl River
Sewer District 1

Project Description: *(If additional space required, please attach a narrative summary.)*

Combined Side Yard Variance required for placement of wood ramp built
along the side of the existing building to access wood deck at the rear of the building

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.

Date: 5/29/2020 Applicant's Signature: Rosemary Amabile

APPLICATION REVIEW FORM

Applicant: Rosemary Amabile **Phone #**

Address: 323 Blauvelt Road Pearl River NY 10965
Street Name & Number (Post Office) City State Zip Code

Property Owner: Rosemary Amabile **Phone #**

Address: 323 Blauvelt Road Pearl River NY 10965
Street Name & Number (Post Office) City State Zip Code

Engineer/Architect/Surveyor: Anthony R Celantano, P.L.S. **Phone #** 845-429-5290

Address: 31 Rosman Road Thiells NY 10984
Street Name & Number (Post Office) City State Zip Code

Attorney: Joseph S. Scarmato, Esq. **Phone #** (845) 548-1880

Address: 105 Lewis Drive Upper Nyack NY 10960
Street Name & Number (Post Office) City State Zip Code

Contact Person: Joseph S. Scarmato, Esq. **Phone #** (845) 548-1880

Address: 105 Lewis Drive Upper Nyack NY 10960
Street Name & Number (Post Office) City State Zip Code

GENERAL MUNICIPAL LAW REVIEW:

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

☐ State or County Road
☐ Long Path
☐ Municipal Boundary

☐ State or County Park
☐ County Stream
☐ County Facility

List name(s) of facility checked above:

Referral Agencies:

☐ RC Highway Department
☐ RC Drainage Agency
☐ NYS Dept. of Transportation
☐ NYS Thruway Authority
☐ Adjacent Municipality
☐ Other

☐ RC Division of Environmental Resources
☐ RC Dept. of Health
☐ NYS Dept. of Environmental Conservation
☐ Palisades Interstate Park Commission

APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE.

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

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

If **special permit**, list special permit use and what the property will be used for.

Environmental Constraints:

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area _____

Are there **streams** on the site? If yes, please provide the names. _____

Are there **wetlands** on the site? If yes, please provide the names and type: _____

Project History:

Has this project ever been reviewed before? _____

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

LIST OF PROPERTY OWNERS WITHIN 200' OF THE SITE

1. SBL 69.09-5-52

Roberta M Mele
68 Douglas Ct.
Pearl River, NY 10965

2. SBL 69.09-5-53

Richard J Mulligan
76 Douglas Ct
Pearl River, NY 10965

3. SBL 69.09-5-54

James G Spink
82 Douglas Ct
Pearl River, NY 10965

4. SBL 69.09-5-55

Diane Burns
88 Douglas Ct
Pearl River, NY 10965

5. SBL 69.09-5-57

Jill Drocea
100 Douglas Ct
Pearl River, NY 10965

6. SBL 69.09-5-70

Christopher Acerbo
349 Blauvelt Rd
Pearl River, NY 10965

7. SBL 69.09-5-71

Edward F Fitzgerald
339 Blauvelt Rd
Pearl River, NY 10965

8. SBL 69.09-5-72

John Ryan
329 Blauvelt Rd
Pearl River, NY 10965

9. SBL 69.09-5-73 (APPLICANT)

Joseph Amabile
323 Blauvelt Rd
Pearl River, NY 10965

10. SBL 69.09-5-74

Joseph Rooney
4 Alexa Ct
Pearl River, NY 10965

11. SBL 69.09-5-75

Stephen Fitzsimons
315 Blauvelt Rd
Pearl River, NY 10965

12. SBL 69.13-2-18.1

Michael Maiorano
340 Blauvelt Rd
Pearl River, NY 10965



OFFICE OF BUILDING, ZONING, PLANNING,
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN

20 Greenbush Road
Orangeburg, N.Y. 10962

Jane Slavin, R.A.
Director

(845)359-8410

Fax: (845) 359-8526

APPEAL TO ZONING BOARD OF APPEALS

Date: April 14, 2020

Applicant: Rosemary Amabile

Address: 323 Blauvelt Road, Pearl River, NY 10965

RE: Application Made at: same

Chapter 43, Table 3.12, Column 10, R-15 Zone; Total Side Yard Required is 50' with 39.3' to existing ramp and 43.9' to existing deck.

Section: 69.09

Block: 5

Lot: 73

Dear Ms. Amabile:

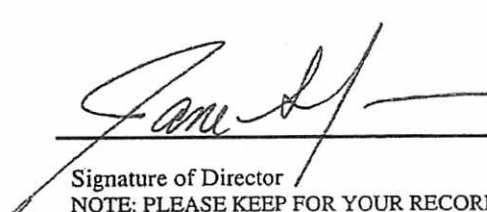
Please be advised that the Building Permit Application, which you submitted on

April 1, 2020, has been denied. I have enclosed a Xerox copy of your application, where you will find at the bottom the reason for denial.

In Accordance with Zoning, Chapter 43 Section 10.322 the time to appeal a determination of a Building Inspector or Similar administrative office is thirty (30) days from the filing of such a determination with the Town Clerk.

The Clerk to the Zoning Board of Appeals, Debbie Arbolino, will assist you in the preparation necessary to appear before the board.

Sincerely,


Signature of Director
NOTE: PLEASE KEEP FOR YOUR RECORDS
12-31-18-CCC

4/14/2020
Date
CC: Rosanna Sfraga
Liz Decort
Debbie Arbolino

PERMIT EXPIRES TWO (2) YEARS FROM DATE OF ISSUANCE.
TWO SIX (6) MONTH EXTENSIONS MAY BE GRANTED PRIOR TO EXPIRATION DATE.
APPLICATION FOR BUILDING / DEMOLITION PERMIT

TOWN OF ORANGETOWN

20 Greenbush Road, Orangeburg, NY 10962 Phone: (845) 359-8410 Fax: (845) 359-8526

ZONE: <u>R-15</u>	OFFICIAL USE ONLY	ACREAGE: _____
Inspector: <u>Don</u>	Date App Received: <u>4/1/2020</u>	Received By: <u>U2</u>
Permit No. <u>49942</u>	Date Issued: _____	
CO No. _____	Date Issued: _____	
Permit Fee: <u>\$222</u>	Ck# <u>1350</u>	Paid By <u>Rosemary Amabile</u>
GIS Fee: <u>\$20</u>	Ck# <u>1349</u>	Paid By _____
Stream Maintenance Fee _____	Ck # _____	Paid By _____
Additional Fee: _____	Ck# _____	Date Paid _____
1 st 6 mo. Ext.: _____	Ck # _____	Exp. Date: _____
2 nd 6 mo. Ext.: _____	Ck # _____	Exp. Date: _____

RECEIVED

APR 1 2020

APPLICANT COMPLETES:

Note: See inside for instructions for completing this application, TOWN OF ORANGETOWN
PAGES 2, 3 and PAGE 4 must be reviewed and PAGES 3 & 4 must signed by the applicant

Property Location: <u>323 Blauvelt Rd. Pearl River, NY 10965</u>	
Section: <u>69.09</u>	Block: <u>5</u>
Lot: <u>73</u>	
Property Owner: <u>Rosemary Amabile</u>	
Mailing Address: <u>323 Blauvelt Road Pearl River, NY 10965</u>	
Email: <u>romamabile@gmail.com</u>	Phone #: <u>914-391-4868</u>
Lessee (Business Name): <u>N/A</u>	
Mailing Address: _____	
Email: _____	Phone #: _____
Type of Business / Use: <u>N/A</u>	
Contact Person: <u>Rosemary Amabile</u>	Relation to Project: <u>Owner</u>
Email: <u>romamabile@gmail.com</u>	Phone#: <u>914-391-4868</u>
Architect/Engineer: <u>Barbara Hess/Hess Architects</u>	NYS Lic # <u>21898</u>
Address: <u>254 Sickletown Rd. West Nyack, NY 10994</u>	Phone#: <u>845-358-1486</u>
Builder/General Contractor: <u>N/A</u>	RC Lic # _____
Address: _____	Phone#: _____
Plumber: <u>N/A</u>	RC Lic # _____
Address: _____	Phone#: _____
Electrician: <u>Underwriter Certificate: Tristate Inspection Services</u>	RC Lic #: _____
Address: <u>PO Box 1034 Warwick, NY 10990</u>	Phone#: <u>845-544-2180</u>
Heat/Cooling: <u>N/A</u>	RC Lic#: _____
Address: _____	Phone#: _____
Existing use of structure or land: <u>single family residence</u>	
Proposed Project Description: <u>Deck and Ramp (LEGALIZE EXISTING)</u>	
<u>2nd floor CO for each</u>	
Proposed Square Footage: <u>N/A</u>	Estimated Construction Value (\$): <u>2nd floor 0</u>
	<u>Deck 4,500</u>

BUILDING DEPARTMENT COMPLETES BELOW

PLANS REVIEWED: _____

PERMIT REFERRED / DENIED FOR: _____

Chapter 43, TABLE 3.12, COL. 10; TSY REQ'D = 50'
W/39.3' TO RAMP & 43.9' TO DECK. 4/1/2020

SCARMATO & ASSOCIATES

Attorneys at Law
80 Red Schoolhouse Road, Suite 110
Chestnut Ridge, New York 10977

Joseph S. Scarmato, Esq.
David M. Ascher, Esq.

(845) 548-1880
(845) 512-8670 (fax)

Of Counsel:
Brian K. Condon, Esq.*
Terrence J. Cortelli, Esq.

*Admitted in New York and New Jersey

By Hand and by e-mail to darbolino@orangetown.com

June 5, 2020

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
Attn: Clerk of the Zoning Board of Appeals

Re: 323 Blauvelt Road, Pearl River, New York

Dear Sir or Madam:

Enclosed herewith is an application for a variance for the captioned premises. Please review the same and place this matter on the calendar at your earliest possible convenience. Feel free to contact me if you should have any questions.

Regards,

A handwritten signature in black ink, appearing to read 'J. Scarmato', with a long horizontal flourish extending to the right.

Joseph S. Scarmato, Esq.

ROSEMARY AMABILE

**323 Blauvelt Road
Pearl River, New York 10965**

May 5, 2020

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962

Re: Variance Application
323 Blauvelt Road
Pearl River, New York
SBL 69.09-5-73

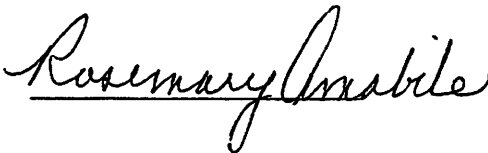
Gentlemen:

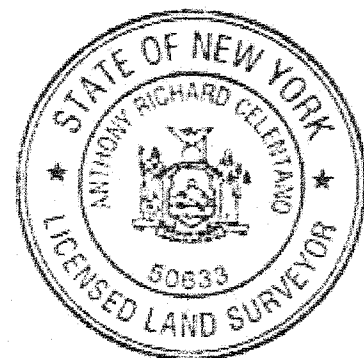
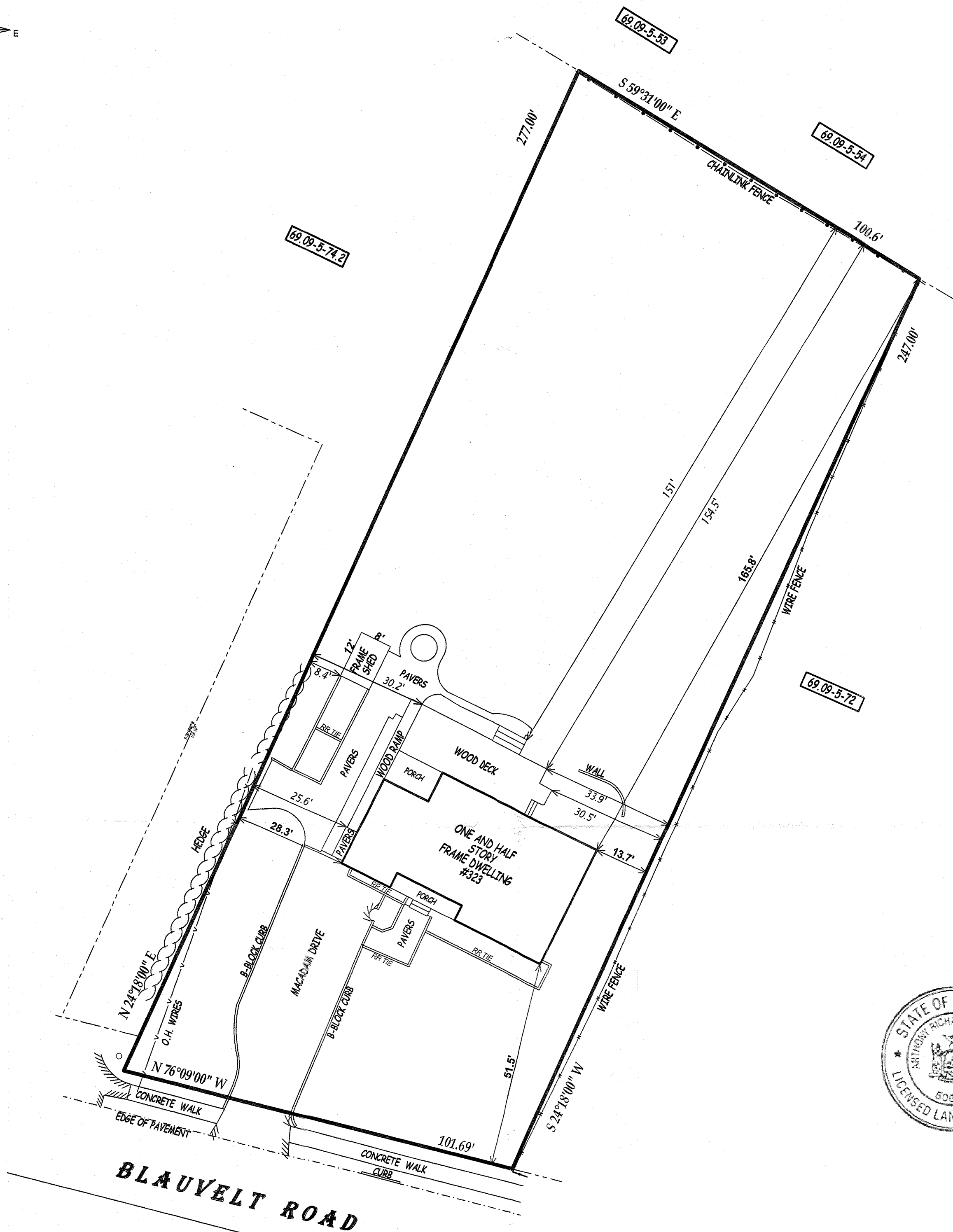
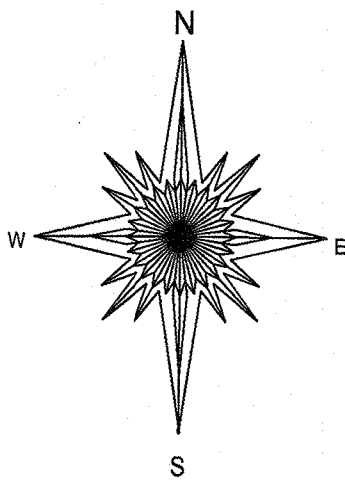
This will confirm that I am the owner of the captioned property and that Joseph S. Scarmato, Esq. is my representative for purposes of obtaining multiple zoning variances for the captioned residence. Mr. Scarmato's contact information is as follows:

**JOSEPH S. SCARMATO, PLLC
Attorney at Law
105 Lewis Drive
Upper Nyack, New York 10960**

**(845) 548-1880
(845) 512-8670 (fax)
jscarmato@scarmatolaw.com**

Very truly yours,


Rosemary Amabile



LOT AREA = 26,200.87 SQUARE FEET
TAX MAP DESIGNATION: 69.09-5-73
SURVEY FOR

**ROSEMARY
AMABILE**

BULK REQUIREMENTS ZONE: R-15 ONE-FAMILY DETACHED DWELLING

USE GROUP M	FLOOR AREA	MINIMUM LOT AREA	MINIMUM LOT WIDTH	MINIMUM STREET FRONTAGE	MINIMUM FRONT YARD	MINIMUM SIDE YARD	TOTAL SIDE YARDS	MINIMUM REAR YARD	MAXIMUM HEIGHT FEET
REQUIRED	0.20	15,000 S.F.	100'	75'	30'	20'	50'	35'	35'
PROVIDED	<0.20	26,200 S.F.	101.69'	101.69'	51.5'	13.7**	39.3*	151	<20'

*VARIANCE REQUIRED
**EXISTING CONDITION

NOTE:
"IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY."
"ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL ARE THE PRODUCT OF THE LAND SURVEYOR."
"THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSES AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT."
THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE.
EASEMENTS OR RIGHTS OF WAY ON OR BELOW THE SURFACE OF THE GROUND THAT ARE NOT VISIBLE ARE NOT SHOWN.

TOWN OF ORANGETOWN, ROCKLAND COUNTY
PEARL RIVER, NEW YORK
MARCH 9, 2020 SCALE: 1" = 20'

ANTHONY R. CELENTANO P.L.S.
31 ROSMAN ROAD
THIELLS, N.Y. 10984
845 429 5290 FAX 429 5974

Anthony R. Celentano LIC#50633