Name of Municipality: <u>TOWN OF ORANGETOWN</u> Date

Date Submitted: 6/12/2020

2020 LAND USE BOARD APPLICATION

	The state of the s				
	Please check all that apply: Commercial Residential				
	Planning Board	Residential			
	Zoning Board of Appeals	Historical Board Architectural Board			
	Subdivision Number of Lots	Consultation			
	Site Plan	Pre-Preliminary/Sketch			
	Conditional Use	Preliminary Final			
	Special Down!	Interpretation			
	Special Permit ✓ Variance	PERMIT#: 48591			
	Performance Standards Review	ASSIGNED			
	Use Variance	INSPECTOR: MM			
	Other (specify):	Referred from Blancian Boundary			
ĺ		Referred from Planning Board: YES / NO if yes provide date of Planning			
		Board meeting:			
Į.	0 1 0 11				
Project	Name: <u>Rogers Residence</u> Alt	erations & Addition			
Street A	ddress: 50 Cara Drive				
	Pearl River, NY.	1000 96 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
	Tear Mer, 141.	19965 (0965			
Tay Mar	Designation:				
iax maļ					
	Section: 67.00 Block:	2Lot(s):			
	Section: Block:	Lot(s):			
Direction	nal Location:				
+	and and				
On the	tasterly side of Cara Drive	, approximately			
	feet $\underline{\mathcal{E}}$ A \S $\overline{\mathcal{T}}$ of the intersection	of Abloadi Road in the			
Town of <u>ORANGETOWN</u> in the hamlet/village of <u>Fear River</u> , in the					
		R-15.			
Ac	reage of Parcel 22,735 S.F.				
	hool District Nanuet UFSD	Zoning District Orange Town			
	nbulance District Pearl River	Postal District Pear River			
	ater District Suc 2	Fire District Pear River			
		Sewer District <u>Urange town</u>			
Project Description: //s additional angular state of the					
Project Description: (If additional space required, please attach a narrative summary.)					
Renovations of existing 1st Floor living room & Kitchen Proposed Second					
Floor additionater existing. Proposed one story darage and					
living room/ Kitchen addition. New windows siding & roof.					
The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.					
b.h					
	Applicant's Signature:	ale			

APPLICATION REVIEW FORM

Applicant: Richard & Michelle Ko	
Address: 50 Cara Drive Pear	River N.Y. 10965 City State Zip Code
Street Name & Number (Post Office)	City State Zip Code
Property Owner: Richard & Michell	e RAPS Phone #
Address: 50 Cara	
Address: Street Name & Number (Post Office)	City State Zip Code
	1
Engineer/Architect/Surveyor: LOVIX Mo	Phone # 945 536 6595
Address: 15 Tyler Place West	Nyack NY. 10994
Street Name & Number (Post Office)	City State Zip Code
Attorney:	hana #
- F	hone #
Address: Street Name & Number (Post Office)	
Street Name & Number (Post Office)	City State Zip Code
Contact Person: Lovise Male Address: 5 Tyler Place V Street Name & Number (Post Office)	Phone # 945 5366585
15 Tyler Place 11	Inst Nincle And incat.
Street Name & Number (Post Office)	City State Zip Code
GENERAL MUNICI	PAL LAW REVIEW:
This property is	within 500 feet of:
(Check all	that apply)
IF ANY ITEM IS CHECKED, A REVIEW MUST BE DON	E BY THE ROCKLAND COUNTY COMMISSIONER OF
PLANNING UNDER THE STATE GENERAL MUN	IICIPAL LAW, SECTIONS 239 L, M, N, AND NN.
State or County Road	State or County Park
Long Path	X County Stream
Municipal Boundary	County Facility
List name(s) of facility checked above:	
•	
Referral Agencies:	
RC Highway Department	RC Division of Environmental Resources
RC Drainage Agency	_ RC Dept. of Health
NYS Dept. of Transportation	NYS Dept. of Environmental Conservation
NYS Thruway Authority Adjacent Municipality	Palisades Interstate Park Commission
Other	

APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE. (IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

lf subdi	vis	ion:
	1)	Is any variance from the subdivision regulations required?
	2)	_
	3)	Is this a standard or average density subdivision?
If site p	lan	
	1)	Existing square footage
	2)	Total square footage
	3)	Number of dwelling units
If specia	al p	Permit , list special permit use and what the property will be used for.
Environ	me	ental Constraints:
and net an Are there t Are there v	ea_ stre	es greater than 25%? If yes, please indicate the amount and show the gross No ams on the site? If yes, please provide the names. <u>Naurashaun Brook ands</u> on the site? If yes, please provide the names and type:
Project	His	story:
Has this pr	ojec	t ever been reviewed before? / / / / / / / / / / / / / / / / / / /
		narrative, including the list case number, name, date, and the board(s) you appeared
before, and	d the	e status of any previous approvals.
_		23A* 19-59 June 18, 2019 Appared
-		
List tax ma this project		ection, block & lot numbers for all other abutting properties in the same ownership as
une project		69.06 - 2 - 13

APPLICATION REVIEW FORM

AFFIDAVIT

State of New York)		
County of Rockland) SS.:		
Town/Village of Orgran	Dul	
I.	being	duly sworn deposes and says
that he is the applicant, agent	or attorney for applicant,	in the matter of the petition
affecting property located at	(board) in the town/vil	llage of , Rockland County, New York.
	are all of the owners of pro which this application is	pperty(distance) from being taken.
SECTION-BLOCK-LOT	NAME	ADDRESS
392489 69.06-1-54 392489 69.06-2-11 N 69.06-2-14 AV 69.06-2-24 M 69.06-1-95 Trac 69.06-1-85 M 69.06-2-12 Rid 69.06-1-53 M 69.06-1-83 From 69.06-2-10 Victor	Brian Mills 145 A Scott Hindley 150 Nichael Rubino 460 Nthony Pabuullo 52 Anhatlan Woods on Nichael K. Harm 20 Sev Nelson 141 Ab Nard J. Lenthan 48 Co Nert Chichael Romano 20 Nt Tauga 130 Ablo Or M. Trarasco 44 C	meyer Dr. West Nyack Ny blondi Rd Pearl River NY 10965 Ablondi Rd. Pearl River NY 10965 Cara Drive Pearl River, NY 10965 Cara Dr. 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

DENIAL TO THE ZONING BOARD OF APPEALS

Date: June 12, 2020				
Applicant: Rogers				
Address: 50 Cara Dr. Pearl River, NY				
RE: Application Made at: same				
AMMENDMENT TO ZBA #19-59				
Chapter 43, Table 3.12, Column 1.2.3 R-15 District, Group M, Single Family Residence				
Column 9 Minimum Side Yard 20' with 14' 9" proposed [PREVIOUS 9' 8"] Column 10 MinimumTotal Side Yard with 41' 3" proposed [PREVIOUS 34' 8"]				
2 Variances required				
Section: 69.06 Block: 2 Lot: 13				
Dear Rogers :				
Please be advised that the Building Permit Application, which you submitted on				
February 25, 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.				
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \				
Richard Oliver				
Deputy Building Inspector)				
Jane 1/- 6-12-2020				
c: co://				
NOTE: PLEASE KEEP FOR YOUR RECORDS Date CC: Rosanna Siraga				
12-31-18-COC Liz Decort				

Debbie Arbolino

FOR

SECTION

BLOCK

עפו

101

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PERMIT EXPIRES TWO (2) YEARS FROM DATE OF ISSUANCE TWO SIX (6) MONTH EXTENSIONS MAY BE GRANTED PRIOR TO EXPIRATE NO ATELLO

OFFICE APPLICATION FOR BUILDING / DEMOLITION PERMIT
TOWN OF ORANGETOWN TOWN OF ORANGETOWN Phone: (845) 359-8410 Fax: (845) 359-8526 20 Greenbush Road, Orangeburg, NY 10962 ACREAGE: ZONE: K-/5 OFFICIAL USE ONLY Đáte App Received: 🕰 Received By: inspector: M Date Issued: **Permit No** Date Issued: CO No. Paid By Permit Fee: Paid By Stream Maintenance Fee Ck# Paid By Additional Fee: Ck# Date Paid Paid By 1st 6 mo. Ext.:_____ Ck #____ __ Exp. Date: ___ Paid By 2nd 6 mo. Ext.: Ck #____ Exp. Date: Paid By **APPLICANT COMPLETES:** Note: See inside for instructions for completing this application, PAGES 2, 3 and PAGE 4 must be reviewed and PAGES 3 & 4 must signed by the applicant. 50 Cara Drive, Pearl Property Location: Section: Property Owner: Email: michellemrodersice Lessee (Business Name): Mailing Address: Email: Phone #: Type of Business (Use: Contact Person: Address: 103 S. Green bush Rd. Orangeburg M Phone#: Builder/General Contractor: RC Lic# Address: Phone#: Plumber: RC Lic# Address: Electrician: RC Lic #: Address: Heat/Cooling: Existing use of structure or land: UNC Proposed Project Description: _ WW.COOM ON Proposed Square Footage: 1,672 SF Estimated Construction Value (\$):209, 000

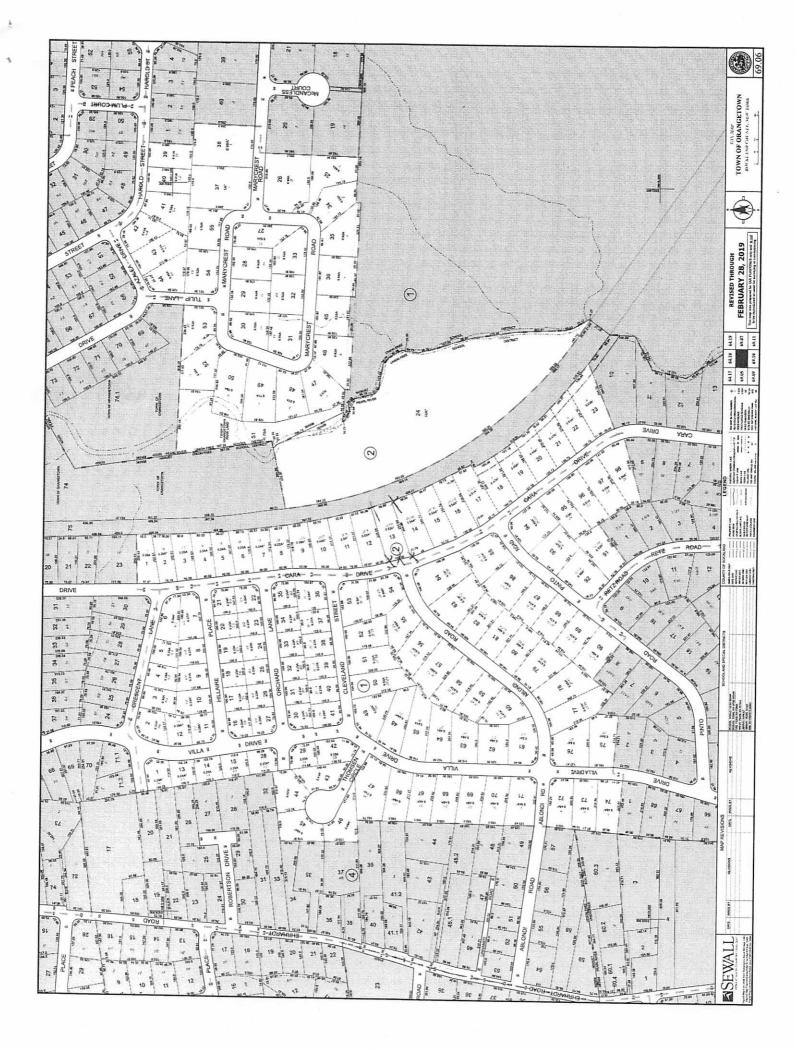
BUILDING DEPARTMENT COMPLETES BELOW PLANS REVIEWED:

PERMIT REFERRED / DENIED FOR:

h. 43 Table 7.12, Columns 1,2.3 = K-15 Distrios Group M. SFR, respectively

Page 1

PERMIT



DECISION

SIDE YARD AND TOTAL SIDE YARD VARIANCES APPROVED

To: Louise Male (Rogers)
103 South Greenbush Road
Orangeburg, New York 10962

ZBA #19-59 Date: June 19, 2019 Permit #48591

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#19-59: Application of Richard and Michele Rogers for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-15 District, Group M, Section 3.12, Columns 9 (Side Yard: 20' required, 9.8' proposed) and 10 (Total Side Yard: 50' required, 34.8' proposed) for an addition to an existing single-family residence. The premises are located at 50 Cara Drive, Pearl River, New York and is identified on the Orangetown Tax Map as Section 69.06, Block 2, Lot 13 in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, June 19, 2019 at which time the Board made the determination hereinafter set forth.

Louise Male, Architect, Richard and Michele Rogers appeared and testified.

The following documents were presented:

- 1. Architectural plans labeled "Renovations & Additions Rogers Residence" signed and sealed by Louise Male, Architect, dated 02/22/2019 with the latest revision date of 04/16/2019. (10 pages)
- 2. A letter dated June 7, 2019 from the Rockland County Health Center for Environmental Health signed by Elizabeth Mello, P.E., Senior Public Health Engineer.
- 3. A letter dated May 17, 2019 from Rockland County Sewer District No.1 singed by Joseph LaFiandra, Engineer II.
- 4. A letter dated June 18, 2019 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.

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

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

Michele Rogers testified that they purchased the house fifteen years ago, when there were two of them; that presently they have three kids and love the neighborhood, the house, the church but they need more space; and that it is hard to find a house in Orangetown with the Nanuet School system and they want to keep the kids in their schools.

TOWN OF ORANGETOWN
TOWN OF ORANGETOWN

Rogers ZBA#19-59 Page 2 of 4

Permit #48591

Louise Male, Architect testified that Richard and Michele both leave for work very early in the morning and they would like the cars to be in a garage; that this is the most sensible place for the garage; that they did look into a detached garage in rear but the property does have a steep drop off and this location is more aesthetically pleasing.

Richard Rogers testified that the property in the rear of the house has s steep drop off and he neighbors are about 20 or 25 feet away from the property line; that they bumped out into the front yard after the Fed Ex truck drove into their house; that Tony and Michele already did an addition; that this house is part of Apple Orchard Estates and many of the houses in the neighborhood have constructed additions already.

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.

Mr. Sullivan 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 and total side yard variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Similar additions have been constructed in the neighborhood.
- 2. The requested side yard and total side yard variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Similar additions have been constructed in the neighborhood.
- 3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining a variance.

TOWN CLERK'S OFFICE

2019 JUL - 2 P 1: 10

TOWN OF ORANGETOWN

Permit#48591

- 4. The requested side yard and total side yard variances, although somewhat substantial, afford benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. Similar additions have been constructed in the neighborhood.
- 5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, 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 variances.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested side yard and total side yard variances are APPROVED; and FURTHER RESOLVED, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.
- (iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

TOWN CLERK'S OFFICE

2019 JUL -2 P 1: 10

TOWN OF ORANGETOWN

Rogers ZBA#19-59 Page 4 of 4

Permit #48591

(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 and total side yard variances are APPROVED; was presented and moved by Mr. Quinn, seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Quinn, aye; Mr. Sullivan, aye; Ms. Salomon, aye; and Ms. Castelli, 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: June 19, 2019

ZONING BOARD OF APPEALS TOWN OF ORANGETOWN

Deborah Arbolino Administrative Aide

DISTRIBUTION:

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

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

TOWN OF ORANGETOWN
TOWN OF ORANGETOWN

Drawing List

- T-1.0 Bulk regulations table, property information & drawing list
- EX-1.1 Existing & Demolition Floor Plans
 Basement & First Floor.
- EX-1.2 Existing & Demolition Floor Plans Second Floor & Roof.
- **EX-2.0 Existing Elevations**
- A-1.0 Proposed Plan Foundation & Basement
- A-1.1 Proposed Plan First Floor
- A-1.2 Proposed Plan Upper & Second Floor
- A-1.3 Proposed Roof Plan
- A-2.0 Proposed Elevations
 West & South Exterior Elevations
- A-2.1 Proposed Elevations
 East & North Exterior Elevations



Zoning Board Town of Orangetown, NY June 06, 2020

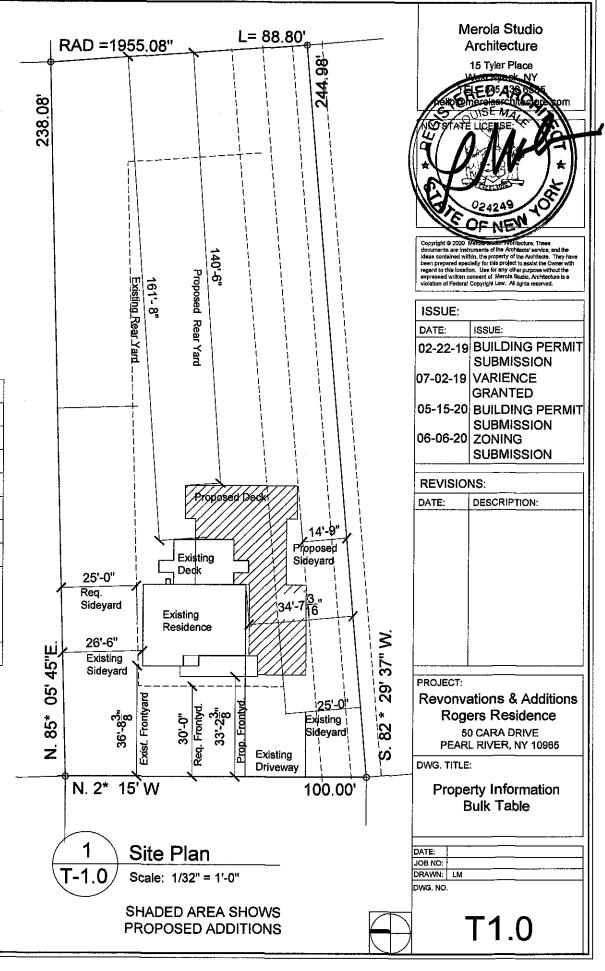
Property Information

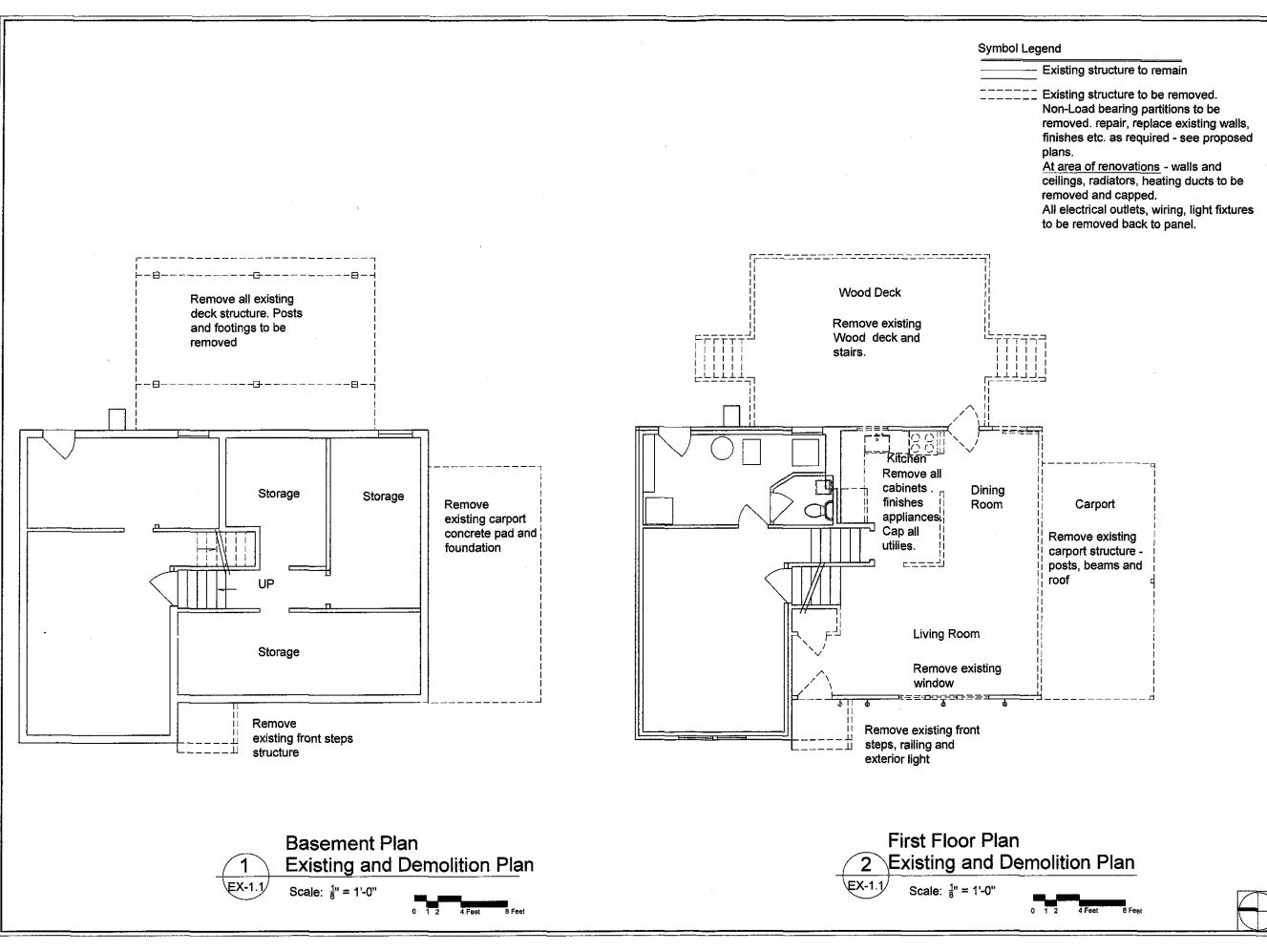
50 Cara Drive	Section	6906
Pearl River, NY	Block	2
10965	Lot	13
	Zone	R-15

Bulk Regulations Table

Required	Existing	Proposed
15,000 S.F.	22,735 S.F.	No change
100'-0"	100'-0"	No change
75'-0"	100'-0"	No change
30'-0"	36.7'	33'-2 ³ / ₈ "
20'-0"	25'-0"	14'-9 "
50'-0"	51'-6"	41"-3"
35'-0"	159'-11"	140'-6"
36'-0"	22'-11"	26'-10"
20%	8.2%	15%
	15,000 S.F. 100'-0" 75'-0" 30'-0" 50'-0" 35'-0" 36'-0"	15,000 S.F. 22,735 S.F. 100'-0" 100'-0" 75'-0" 100'-0" 30'-0" 36.7' 20'-0" 25'-0" 50'-0" 51'-6" 35'-0" 159'-11" 36'-0" 22'-11"

All information for table taken from a certified survey dated November 29, 2019 prepared by:
Jay A. Greenwell, PLS, LLC Surveying - Land Planning 85 Lafayette Avenue, Suffern, NY 10901
Ph: (845) 357 - 0830





Merola Studio Architecture

15 Tyler Place

ISSUE: DATE: ISSUE: 02-22-19 BUILDING PERMIT SUBMISSION 07-02-19 VARIENCE GRANTED 05-15-20 BUILDING PERMIT SUBMISSION 06-06-20 ZONING

REVISIONS: DATE: DESCRIPTION:

SUBMISSION

PROJECT:

Revonvations & Additions Rogers Residence 50 CARA DRIVE PEARL RIVER, NY 10965

DWG. TITLE:

EXISTING & DEMOLITION FLOOR PLANS

Basement & First Floor

DATE: JOB NO: DRAWN: LM

EX-1.1

