

ZONING BOARD OF APPEALS

Town of Orangetown  
20 Greenbush Road  
Orangeburg, New York 10962  
(845) 359-8410 (ex. 4316)

Date: July 5, 2024

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

Rockland County Drainage  
Rockland County Health  
Rockland County Planning  
Rockland County Highway  
NYS Dept of Environmental  
Conservation

**This matter is scheduled for: September 4, 2024**

Review of Plans: Quarter Waters, LLC., 667 Oak Tree Road, Palisades, New York

**Section: 78.17 Block: 2 Lot: 31; R-40 zone**

Chapter 43, R-40 District, Group E, Section 5.226 (fence height: 6’ permitted, with 8’ proposed) for an existing fence installed on the rear property line at a single-family dwelling. The premises are located at 667 Oak Tree Road, Palisades, New York and identified on the Orangetown Tax Map as Section 78.17, Block 2, Lot 31 in the R-40 zoning district.

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: [KBettmann@orangetown.com](mailto:KBettmann@orangetown.com)

**Zoning Board Meeting Date: September 4, 2024**

- 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.

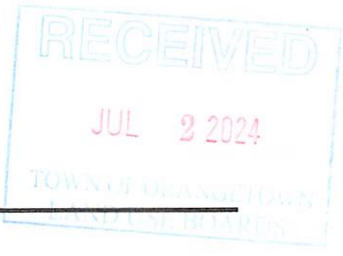
This project is before the Zoning Board on **Wednesday, September 4, 2024.** **Kindly forward your completed review to this office by September 4, 2024.**

Reviewing Agency \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Thank you, Katlyn Bettmann



Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: \_\_\_\_\_

Please check all that apply:

<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential
<input checked="" type="checkbox"/> <b>Planning Board</b>	<input type="checkbox"/> <b>Historical Board</b>
<input checked="" type="checkbox"/> <b>Zoning Board of Appeals</b>	<input type="checkbox"/> <b>Architectural Board</b>
<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#: BLDR-5349-24  
 ASSIGNED  
 INSPECTOR: Ken L.

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

Project Name: ~~8 foot deer fence~~ Quarter Waters LLC

Street Address: 667 Oak Tree Rd  
Palisades, NY 10964

Tax Map Designation:  
Section: 78.17 Block: 2 Lot(s): 31  
Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

Directional Location:  
On the South side of Oak Tree Road, approximately 500 feet West of the intersection of Oak Tree Rd & Closter Rd, in the Town of Orangetown in the hamlet/village of Palisades.  
Acreage of Parcel 1.43 Zoning District R-40  
School District SOESD Postal District Palisades  
Ambulance District SOAC Fire District Sparkill-Palisades  
Water District Veolia Sewer District Orangetown

Project Description: (If additional space required, please attach a narrative summary.)  
A pre-existing fence was taken down & replaced with an eight foot tall, metal deer fence on the property line in the backyard.

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.  
Date: 7/2/24 Applicant's Signature: Cullen F. Woch

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York )
County of Rockland ) SS.:
Town/Village of Orangetown/Palisades

I, Michael Che Campbell being duly sworn, hereby depose and say that I reside in the county of Rockland in the state of New York

I am the (\* Sole ) owner in the fee simple of premises located at: 667 Oak Tree Rd Palisades, NY 10964

described in a certain deed of said premises recorded in the Rockland County Clerk's Office in Liber of conveyances, page

Said premises have been in my/its possession since 2020

Said premises are also known and designated on the Town of Orangetown

Tax Map as: section: 78.17 block: 2 lot(s): 31

I hereby authorize the within application on my behalf and that the statement of fact contained in said application are true, and agree to be bound by the determination of the board

Owner Signature: [Handwritten Signature]

Mailing Address: 667 Oak Tree Rd Palisades, NY 10964

SWORN to before this

26 day of June, 2024
[Handwritten Signature]
Notary Public

MARIA GAGLIARDI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01GA6442480
Qualified in Rockland County
My Commission Expires 10-17-2026

\*If owner is a corporation, fill in the office held by deponent and name of corporation, and provide a list of all directors, officers and stockholders owning more that 5% of any class of stock.



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

**REFERRAL TO THE ZONING BOARD OF APPEALS**

Date: 6.13.24 Section: 78.17 Block: 2 Lot: 31  
Applicant: Quarter Waters LLC  
Address: 667 Oak Tree Rd, Palisades, NY  
RE: Application Made at: same

Referred For:

Chapter 43, Section 5.226 A fence over 6' in height is allowed in the side and rear yards provided it is setback from the lot line a distance of 2/3 its height. 6' allowed on property line with 8' proposed  
1 variance required

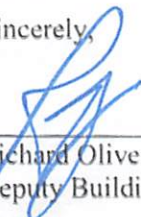
Comments:

8' fence on rear yard property line, 6' allowed

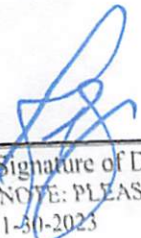
Dear Quarter Waters LLC :

Please be advised that the Building Permit Application # 5349-24, which you submitted on 6.69.24, has been referred to the Town of Orangetown Zoning Board of Appeals. The Clerk to the Zoning Board of Appeals, Katlyn Bettmann can assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4316 or kbettmann @orangetown.com.

Sincerely,

  
Richard Oliver  
Deputy Building Inspector

6/19/24

  
Signature of Director  
NOTE: PLEASE KEEP FOR YOUR RECORDS  
1-30-2023

6/19/24  
Date  
Liz DeCort  
Debbie Arbolino

CC:



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

**REFERRAL TO THE HISTORICAL AREAS BOARD OF REVIEW**

Date: 6.13.24 Section: 78.17 Block: 2 Lot: 31

Applicant: Quarter Waters LLC

Address: 667 Oak Tree Rd, Palisades, NY

RE: Application Made at: same

Referred For: Chapter 12, Section 12-4(E) Requires HABR approval

Comments: 8' fence on rear yard property line, 6' allowed  
requires permit, in historic district

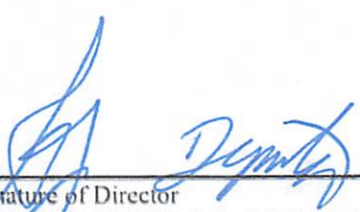
Dear Quarter Waters LLC

Please be advised that the Building Permit Application # 5349-24, which you submitted on 6.6.24, has been referred to the Historical Areas Board of Review. The Clerk to the Historical Areas Board of Review, Katlyn Bettmann, can assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4316 or [kbettmann@orangetown.com](mailto:kbettmann@orangetown.com)

Sincerely,

  
Richard Oliver  
Deputy Building Inspector

6/19/24

  
Signature of Director  
NOTE: PLEASE KEEP FOR YOUR RECORDS  
1-30-2023 JSA

6/19/24  
Date  
Liz DeCort  
Debbie Arbolino

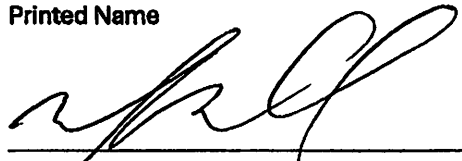
May 13, 2024

Re: 667 Oak Tree Road, Palisades, NY 10964  
Owner's Written Authorization

I, Michael Campbell owner of the residential property at 667 Oak Tree Road, Palisades, NY 10964, hereby authorize Cellen Wolk (*Hey Hoe Garden Design*) to represent my interests and make decisions on my behalf for the entire process of applying for permits, approval, and any variances necessary through the Planning Board, Zoning Board of Appeals, and Historical Areas Board of Review, specifically in relation to the fence installed on the above property.


Michael Campbell  
Printed Name

6/4/24  
Date

  
Signature

Cellen F. Wolk  
Printed Name

6/4/24  
Date

  
Signature

SWIS	PRINT KEY	NAME	ADDRESS
392489	78.17-2-12	Guy Raoul	668 Oak Tree Rd,Palisades, NY 10964
392489	78.17-2-13	Sunthorn Bunyaviroch	672 Oak Tree Rd,Palisades, NY 10964
392489	78.17-2-22	Palisades Free Library	19 Closter Rd,Palisades, NY 10964
392489	78.17-2-23	Teri R Zehentner	21 Closter Rd,Palisades, NY 10964
392489	78.17-2-24	Barbara Meyer	23 Closter Rd,Palisades, NY 10964
392489	78.17-2-25	Diane Donnelly	25 Closter Rd,Palisades, NY 10964
392489	78.17-2-26	Charles Hyun Choi	P.O. Box 54,Palisades, NY 10964
392489	78.17-2-27	Emelyn DePalma	76 Fern Rd,Palisades, NY 10964
392489	78.17-2-28	Pierre Relland	685 Oak Tree Rd,Palisades, NY 10964
392489	78.17-2-29	Sunny Park	679 Oak Tree Rd,Palisades, NY 10964
392489	78.17-2-30	Palisades Community Center Inc	P.O. Box 222,Palisades, NY 10964
392489	78.17-2-31	Quarter Waters LLC	888 7th Ave Fl 4,New York, NY 10106
392489	78.17-2-32	Burke S Anderson	245 S Broadway,Nyack, NY 10960
392489	78.17-2-33	Matthew Bartels	6 Post Ln,Palisades, NY 10964
392489	78.17-2-34	Dorian Tunell	P.O. Box 591,Palisades, NY 10964
392489	78.17-2-35	Abhineet Soni	43 Carroll St,Brooklyn, NY 11231
392489	78.17-2-37	Roberta M Smith	645 Oak Tree Rd,Palisades, NY 10964
392489	78.17-2-38	Carol Anne Knudson	35 Closter Rd,Palisades, NY 10964
392489	78.17-2-39	Laraine Slavitt	41 Closter Rd,Palisades, NY 10964
392489	78.17-2-40	Keith Buterbaugh	47 Closter Rd,Palisades, NY 10964
392489	78.17-2-42	Matthew Bartels	6 Post Ln,Palisades, NY 10964



Clerk of Boards Review:  
Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Building Dept. (Accepted By):  
Date: \_\_\_\_\_ Initials: \_\_\_\_\_

**ENTITY DISCLOSURE FORM**

TOWN OF ORANGETOWN  
Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE)  
20 Greenbush Road  
Orangeburg, New York 10962  
Tel: (845) 359-8410  
Website: [www.orangetown.com](http://www.orangetown.com)

THIS FORM MUST ACCOMPANY ALL LAND USE APPLICATIONS SUBMITTED BY AN ENTITY AS DEFINED IN CHAPTER 43, ARTICLE 16 OF THE TOWN CODE OF THE TOWN OF ORANGETOWN.

PROJECT NAME: ~~FENCE~~ Quarter Waters, LLC.

PROPERTY ADDRESS: 667 OAK TREE ROAD

TAX LOT ID: 78.17-2-31

NAME OF APPLICANT: QUARTER WATERS LLC

OWNER OF PROPERTY: MICHAEL CAMPBELL

Land Use Application/Brief Description of Project: fence



**PART ONE:**

1. Pursuant to Section Chapter 43, Article 16 of the Town Code, the disclosure of the names and address of all persons or entities owning any interest or controlling position of any limited liability company, limited liability partnership, general or limited partnership, professional corporation, joint venture, doing business as name or venture, association, business trust, or non-publically traded corporation, (hereinafter referred to as the "Entity") is required when filing a land-use application.
2. Set forth the names of all members, officers, shareholders, directors, partners or other authorized persons of the Entity for the past year from the date of filing of any land-use board application.
3. Attach a copy of all Entity documents filed with the NYS Secretary of State, or in any other State of formation, including:
  - a. All records regarding membership interests in the Entity;
  - b. Records regarding the transfer of membership interests since the date of formation.
4. If a member of the Entity is not a natural person, please provide the name(s) and address(es) for the of the non-natural person member of that Entity, and provide the formation filing documents for such Entity.
5. Provide supplemental sheets if the information does not fit below; (kindly label the supplemental sheets).



**PART THREE:**

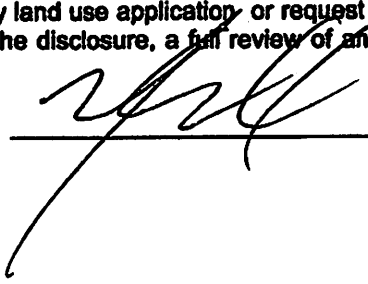
- 10. Is any person identified in Part TWO currently employed by or hold a paid or unpaid position with a department, agency or land use board of the Town of Orangetown? Please circle: YES  NO
- 11. Is any person identified in PART TWO the spouse, sibling, parent, child, or grandchild of any individual who is employed by or holds a paid or unpaid position with a department, agency or land use board of the Town of Orangetown? Please circle: YES  NO
- 12. Does any person identified in PART TWO perform services for or have a contract, or employed by an entity that has a contract to perform services for the Town of Orangetown? Please circle: YES  NO
- 13. If the answer is "YES" to any of the above, please provide a supplement sheet and list every Board, Department, Office, agency or other position with the Town of Orangetown in which the party has a position, paid or unpaid, or provides services for, and identify the agency, title and date of hire.

**PART FOUR:**


- 14. The information contained herein shall be updated with the Clerk of the Boards no later than THIRTY (30) DAYS after any change in information.
- 15. **NOTE:** Any person who (a) provides false or fraudulent beneficial ownership information; (b) willfully fails to provide complete or updated information; or (c) during the application process, fails to obtain or maintain credible, legible and updated beneficial ownership information shall be subject to suspension of any pending application by the applicant entity, or a "stop work" order on any work relating to the application, or both, in addition to any other applicable penalties under the Town Code, or State and Federal Statute, or both.

STATE OF NEW YORK )  
 NEW YORK ) ss.:  
 COUNTY OF ROCKLAND )

I, Michael Campbell, being duly sworn, deposes and says that I am (Title) SOLE MEMBER, an active or qualified member of the QUARTER WATERS LLC, a business duly authorized by law to do business in the State of New York, and that the statements made in the foregoing Affidavit are true, accurate and complete. I further understand that Land Use Applications may have a significant impact upon the health, safety and general welfare of the Town of Orangetown and its inhabitants and visitors; and that the Town Board is required to be certain that anyone with an interest or controlling position of an Entity, who applies for any land use approval or permission must have no conflict of interest as that term is described in NYS Town Law, as well as NYS General Municipal Law, and that the disclosure of any officers, directors, members, shareholders, managers, authorized persons, beneficial owners, any other controlling parties with the above entity, and all persons with a membership or voting interest in the entity is required to be made in any land use application or request for any approval from the Town, to be certain no conflict of interest exists and without the disclosure, a full review of any conflict cannot take place.

  
 \_\_\_\_\_  
 Signature

Sworn to and subscribed in my presence  
 This 4 day of June, 2024

  
 \_\_\_\_\_  
 NOTARY PUBLIC

LINDSAY RYAN  
 NOTARY PUBLIC-STATE OF NEW YORK  
 No. 01RY6423710  
 Qualified in New York County  
 My Commission Expires 10-18-2025

OAK TREE ROAD

S74°45'00"E 123.30'

DESIGNATED STREET LINE

TAX LOT 7817-2-30  
N OR F PALISADES  
COMMUNITY CENTER

TAX LOT 7817-2-32  
N OR F ANDERSON

NORTH

N15°00'00"E 1196.53'

S22°16'00"W 152.15'

S22°16'00"W

S61°24'00"E 162.70'

UPLAND  
RETURN

247.86'  
(617.82' ROAD)

S48°01'00"W

TAX LOT 7817-2-27  
N OR F CERRILLO

150.21'

N74°35'00"W

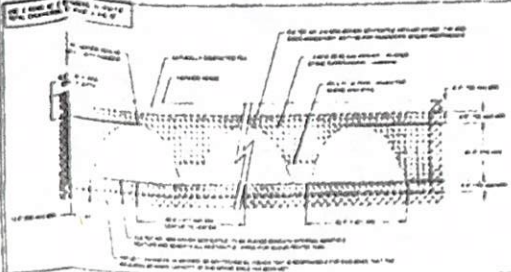
203.39'

FERN ROAD  
(60' ROW)  
(UNIMPROVED)

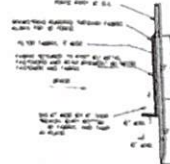
Henry DePalma  
Architect

ZONING LEGEND

ZONE	RECREATION	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
RESIDENTIAL	...	...	...	...
COMMERCIAL	...	...	...	...
INDUSTRIAL	...	...	...	...

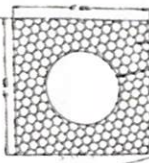


PLANTING DETAIL

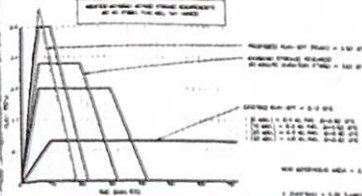


SALT FENCE DETAIL

10'X25' WHEEL CLEANING BRACKET



4' PERIMETER DRAIN



NOTES

1. THE SITE IS TO BE DEVELOPED AS A COMMUNITY CENTER...
2. THE PROPOSED BUILDING SHALL BE CONSTRUCTED WITH A MINIMUM OF 4" CONCRETE...
3. THE PROPOSED PARKING SHALL BE SURFED WITH ASPHALT...
4. THE PROPOSED LANDSCAPING SHALL BE INSTALLED WITHIN 60 DAYS OF THE END OF CONSTRUCTION...

THE PROPOSED AND EXISTING DRAINAGE SYSTEM

1. THE PROPOSED DRAINAGE SYSTEM SHALL BE DESIGNED TO MAINTAIN THE EXISTING GRADE...
2. THE PROPOSED DRAINAGE SYSTEM SHALL BE DESIGNED TO PREVENT FLOODING...
3. THE PROPOSED DRAINAGE SYSTEM SHALL BE DESIGNED TO PREVENT EROSION...
4. THE PROPOSED DRAINAGE SYSTEM SHALL BE DESIGNED TO PREVENT POLLUTION...

THOMAS S. SCRIBBLE, P.E. DRAINAGE

SECTION 78  
TOWN OF ORANGETOWN  
ROCKLAND COUNTY

— 8ft deer fence

RECEIVED  
JUL 2 2024  
TOWN OF ORANGETOWN  
LAND USE BOARD

SEP 4 2024  
ZONING BOARD OF APPEALS

NJHIC #13VH00345600  
NY License #  
(Westchester):  
WC16642H05  
NY License # (Rockland):  
H0716912

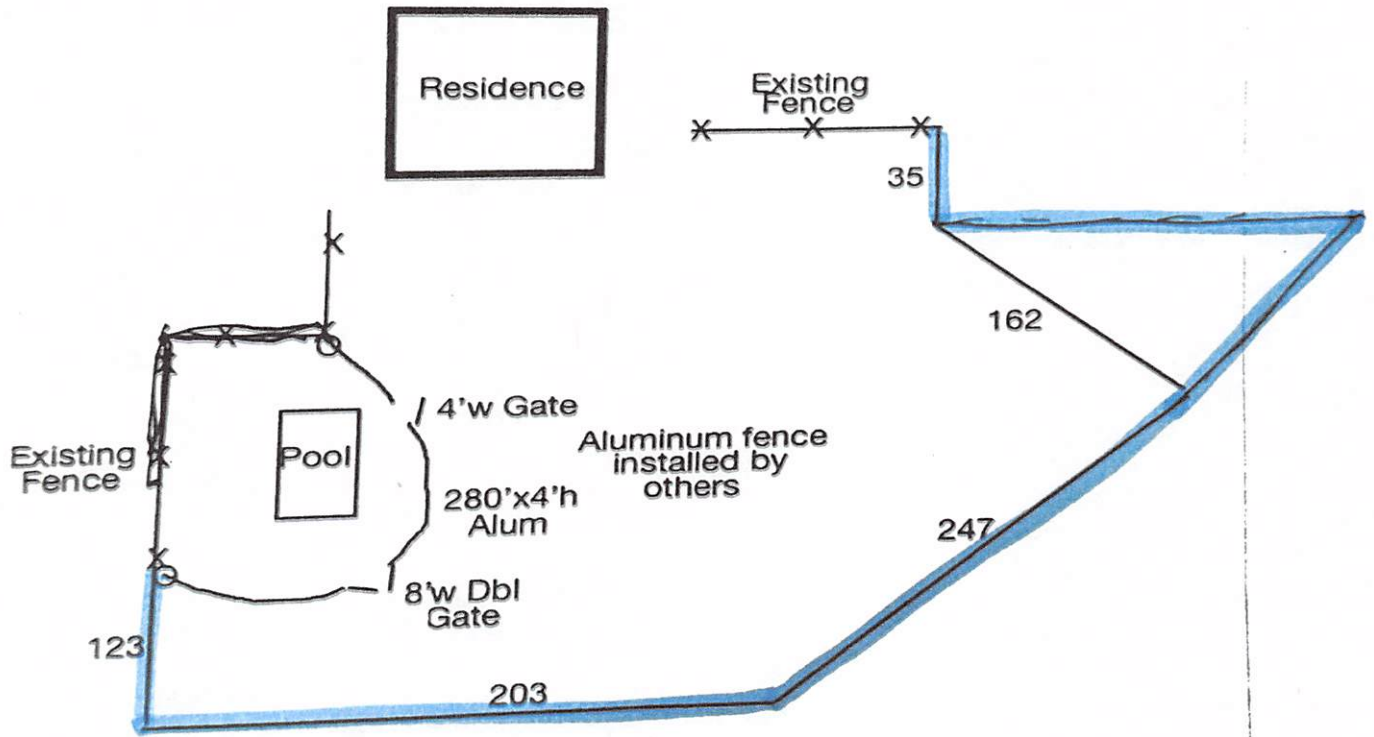


# Job Specification

Date Submitted September 17 2023  
13 19 31

<b>Customer Project Name:</b>	Hey Hoe Garden Design	<b>Salesmen</b>	Al Laskowski
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Note: The below drawing and fence specifications are satisfactory and are hereby accepted. You are authorized to do the work as specified. Any changes to above must be accompanied by a change order.



Clearing of the fence line by others.  
Removal of the existing fence by others.

new fence

Town of Orangetown

MEETING OF:

Special Notes:

SEP 4 2024

ZONING BOARD OF APPEALS





Town of Orangeburg  
MEETING OF

SEP 4 2023

ZONING BOARD OF APPEALS



Town of Orangetown  
MEETING OF

SEP 4 2024

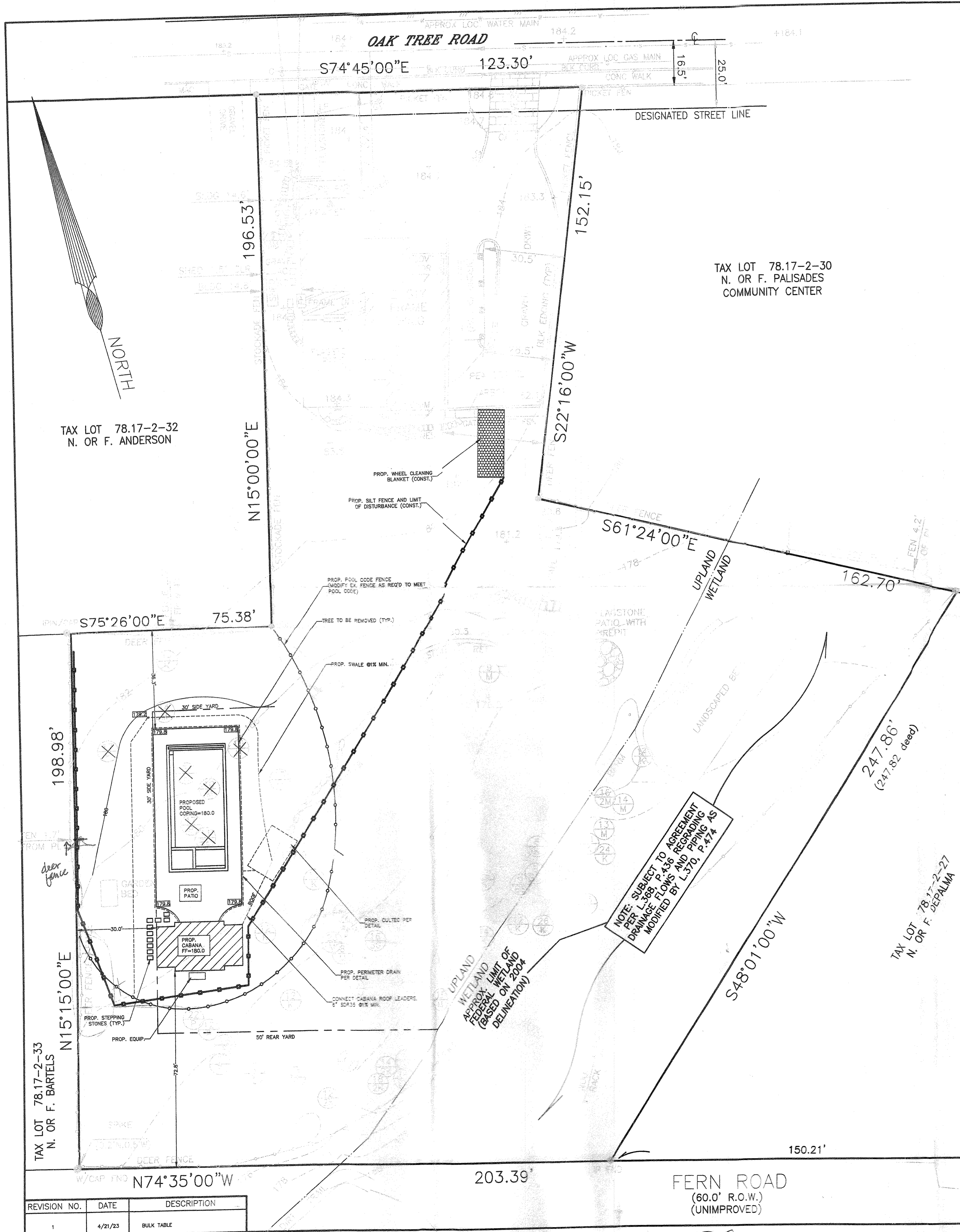
ZONING BOARD OF APPEALS



Town of Orangetown  
MEETING OF

SEP 4 2014

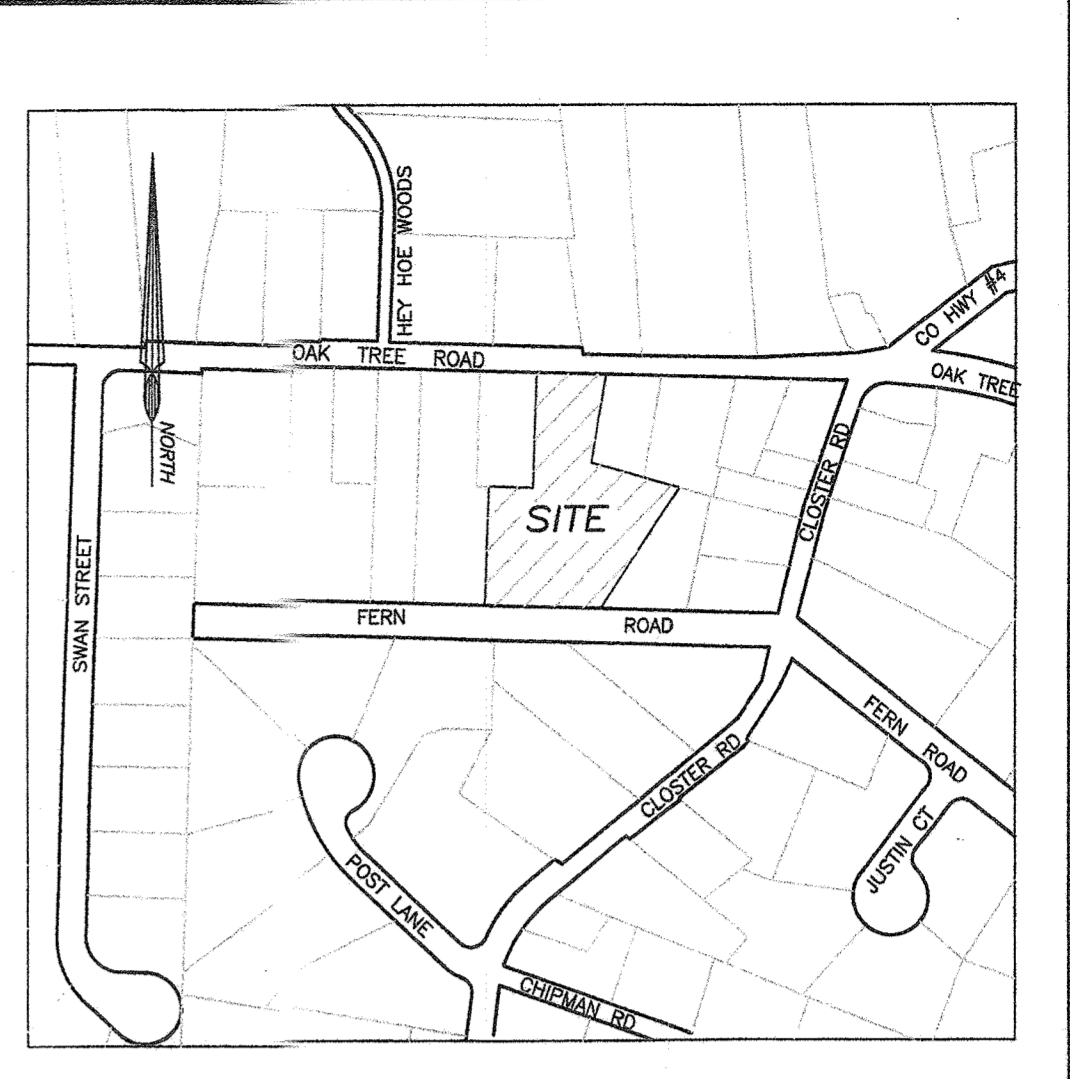
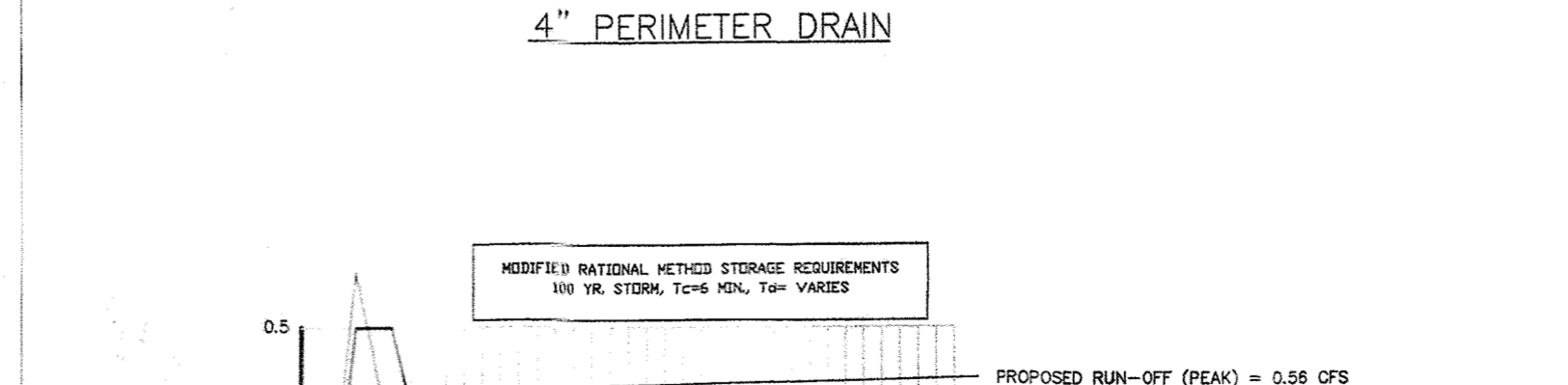
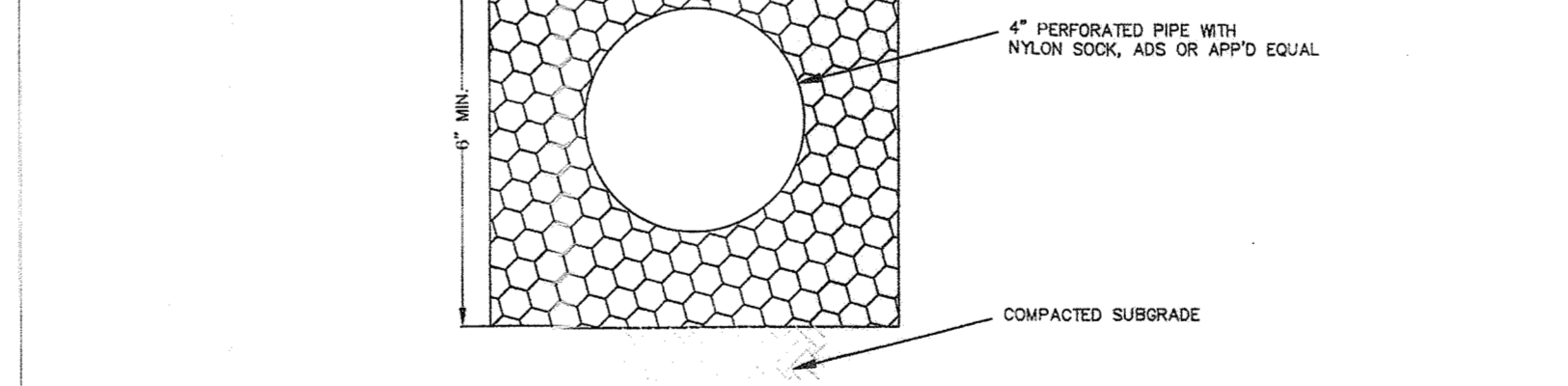
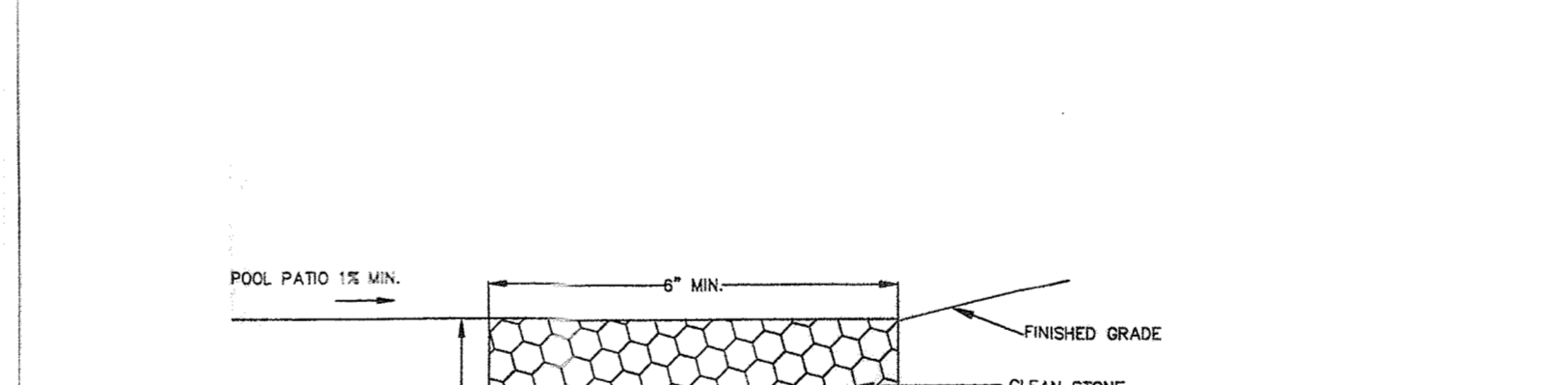
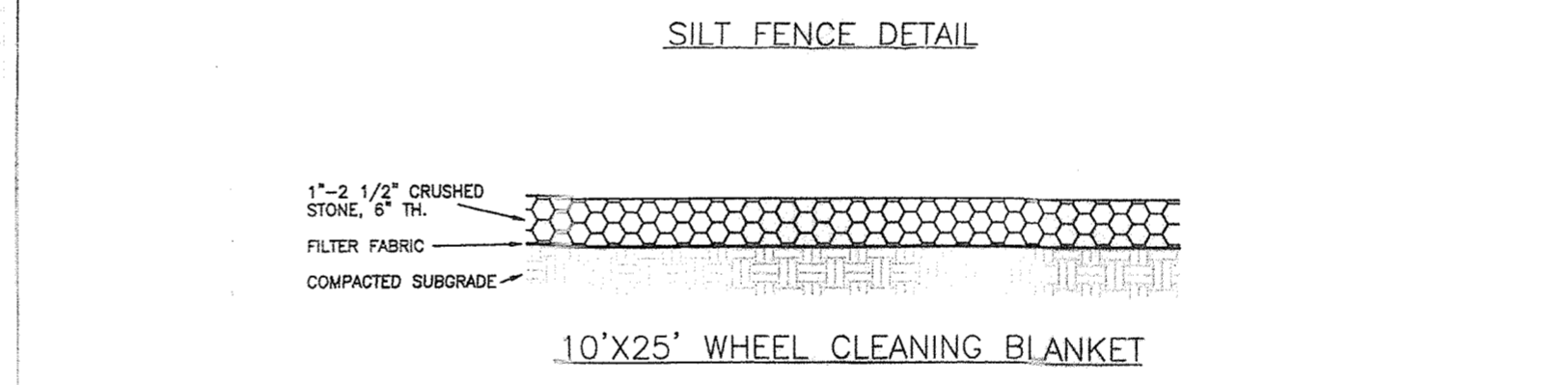
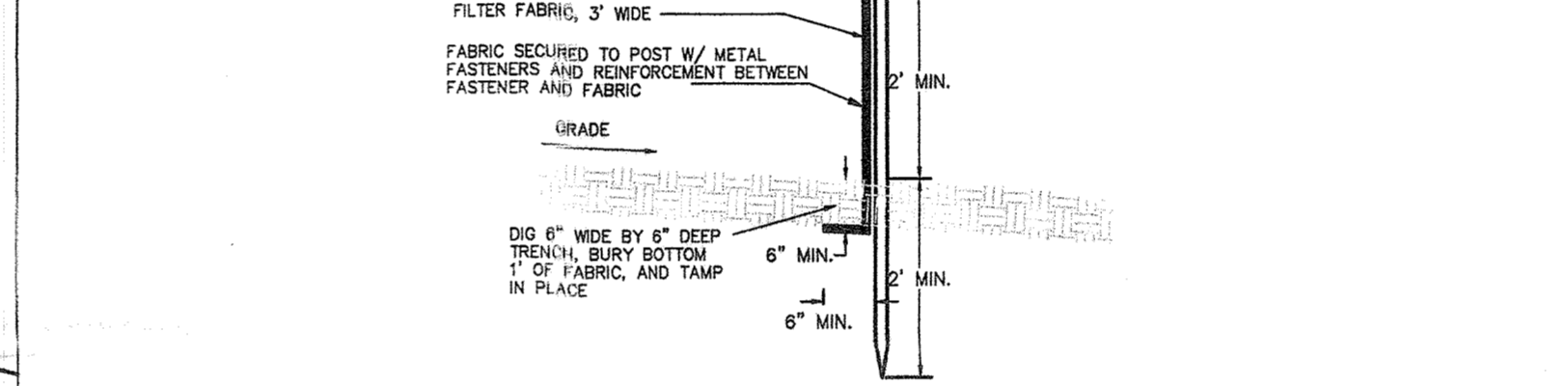
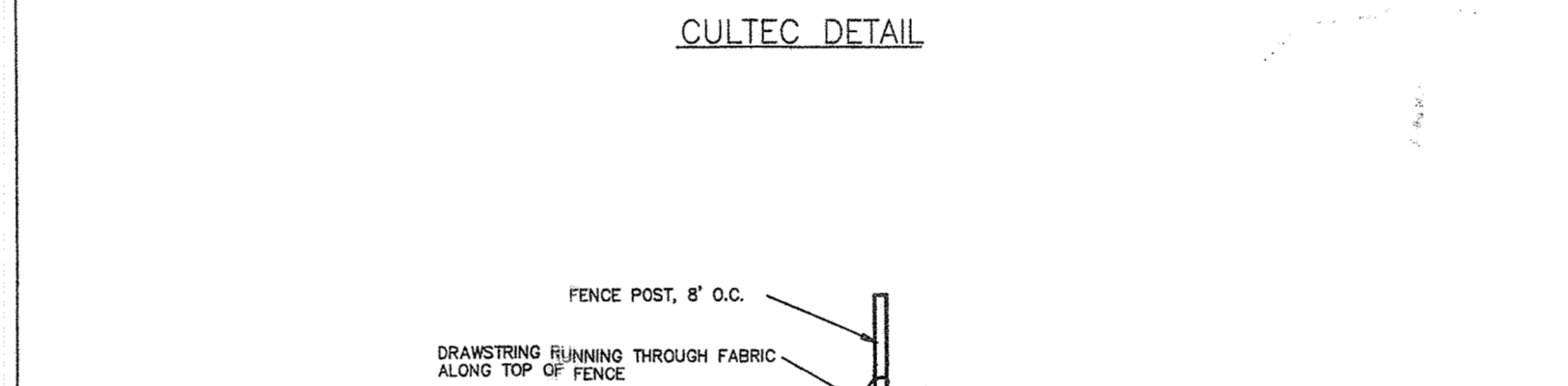
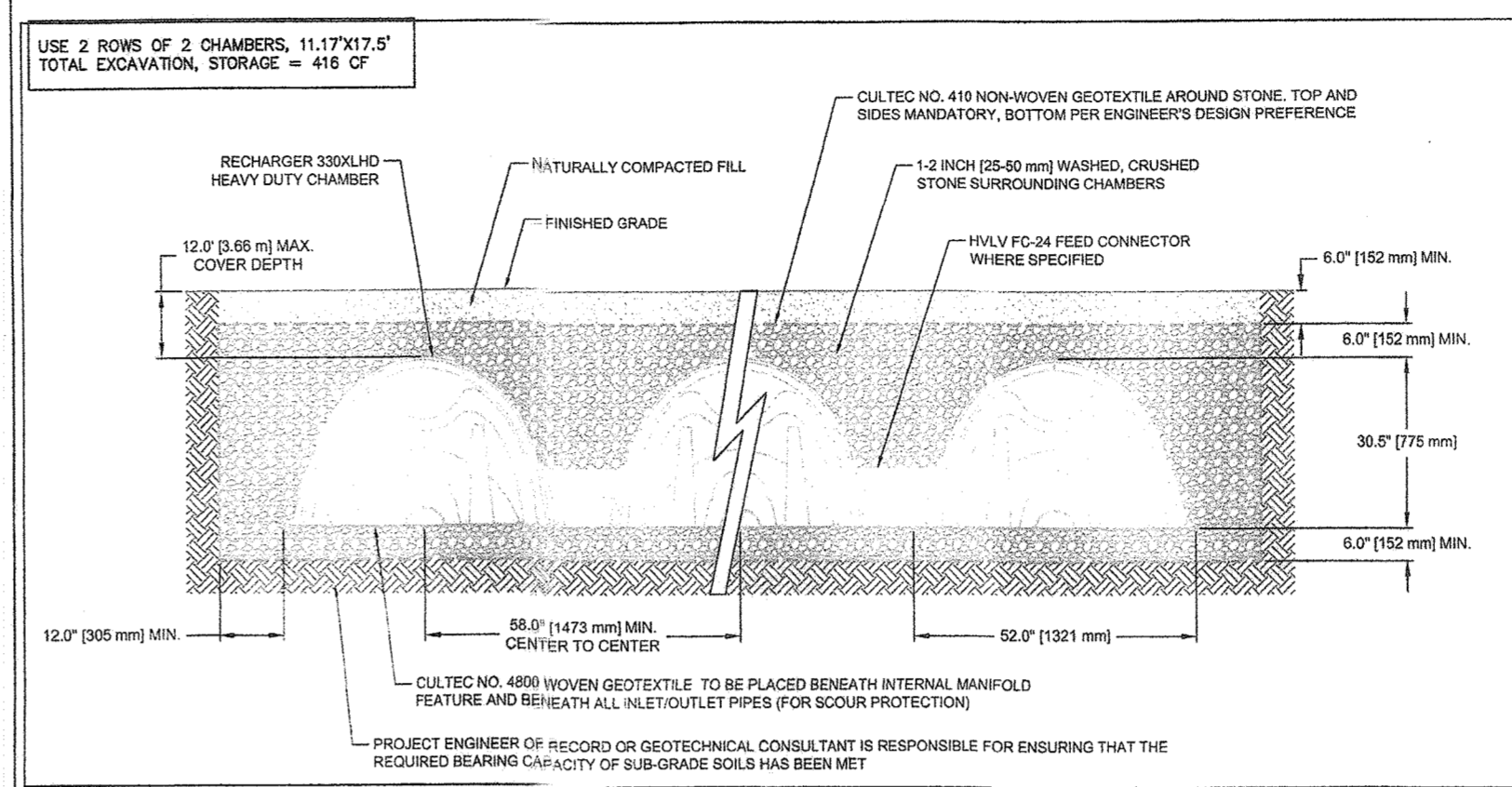
ZONING BOARD OF APPEALS



**ZONING LEGEND**

ZONE:	R-40 - RESIDENTIAL ZONE	REQUIRED	EXISTING	PROPOSED
MAXIMUM FAR (RATIO)	0.15	0.08	0.07	
MINIMUM LOT AREA (SF)	40,000	79,723	79,723	
MINIMUM LOT WIDTH (FT.)	150	119.2*	119.2*	
MINIMUM FRONT YARD (FT.)	100	123.3	123.3	
MINIMUM SIDE YARD (FT.)	50	32.4*	32.4*	
MINIMUM SIDE YARD TOTAL (FT.)	30	14.6*	14.6*	
MINIMUM REAR YARD (FT.)	50	41.1*	41.1*	
MINIMUM BUILDING HEIGHT (IN./FT.)	8 (9.7')	279.5	279.5	
		20.3*	20.3*	

\* - EXISTING NON-COMPLYING EXISTING FAR AND BUILDING HEIGHT AS PER PRIOR APPROVED ADDITION DRAWINGS



- NOTES:**
- PROPERTY KNOWN AS LOT #1 BLOCK 2 SECTION 78.17 AS SHOWN ON THE CURRENT TAX MAPS OF THE TOWN OF ORANGETOWN.
  - APPLICANT/OWNER: 667 OAK TREE ROAD, PALISADES, NY.
  - TOTAL AREA OF LOT: 1.83 ACRES.
  - IMPROVEMENTS ON OR UNDER THE LANDS ARE NOT VISIBLE MAY NOT BE SHOWN.
  - THERE ARE NO EXISTING OR PROPOSED CONVEYANCES OR DEED RESTRICTIONS.
  - SURVEY INFORMATION SHOWN HEREON HAS BEEN TAKEN FROM A SURVEY PREPARED BY JAY A. GREENWELL, PLS. DATED 2/10/23. POOL LAYOUT BY COOL POOL.
  - THIS PLAN FOR DRAINAGE AND ZONING PURPOSES ONLY.
  - PROPOSED UTILITIES FROM EX. DWELLING.
  - TEST FITS TO BE PERFORMED TO CORRECT CULTREC FUNCTION. IF GROUNDWATER ENCOUNTERED, DESIGN WILL BE MODIFIED AS REQUIRED.
  - EXISTING SEPTIC SYSTEM LOCATION IS APPLICABLE, SHALL BE CORRECTED PRIOR TO SEPTAGE PIT CONSTRUCTION.
  - SCHOOL DISTRICT: SOUTH ORANGETOWN FREE SPARROW-PALISADES.
  - WATER: TOWN OF ORANGETOWN LIGHTING: TOWN OF ORANGETOWN.
  - ALL UTILITIES, INCLUDING ELECTRIC AND TELEPHONE SERVICE, SHALL BE INSTALLED UNDERGROUND.
  - THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 238-B OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK.
  - AT LEAST ONE WEEK PRIOR TO THE COMMENCEMENT OF ANY WORK, INCLUDING THE INSTALLATION OF EROSION CONTROL DEVICES OR THE REMOVAL OF TREES AND VEGETATION, A PRE-CONSTRUCTION MEETING MUST BE HELD WITH THE TOWN OF ORANGETOWN DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AND ENGINEERING, SUPT. OF HIGHWAYS AND THE OFFICE OF BUILDING, ZONING AND PLANNING ADMINISTRATION AND ENFORCEMENT.
  - ADDITIONAL CERTIFICATION BY AN APPROPRIATE LICENSED OR CERTIFIED DESIGN PROFESSIONAL SHALL BE REQUIRED FOR ALL MATTERS BEFORE THE PLANNING BOARD INDICATING THAT THE DRAWINGS AND PROJECT ARE IN COMPLIANCE WITH THE STEWARDSHIP MANAGEMENT PLAN II REGULATIONS.
  - ALL PATIO AREAS MUST DISCHARGE TO THE CULTREC SYSTEM.
  - THE TREE PROTECTION AND PRESERVATION GUIDELINES ADOPTED PURSUANT TO SECTION 21-24 OF THE LAND DEVELOPMENT AND PRESERVATION REGULATIONS OF THE TOWN OF ORANGETOWN WILL BE IMPLEMENTED IN ORDER TO PROTECT AND PRESERVE BOTH INDIVIDUAL SPECIMEN TREES AND BUFFER AREA WITH MANY TREES. STEPS THAT WILL BE TAKEN TO PRESERVE AND PROTECT EXISTING TREES TO REMAIN ARE AS FOLLOWS:
    - NO CONSTRUCTION EQUIPMENT SHALL BE PARKED UNDER THE TREE CANOPY.
    - TREES WILL BE IN EXHAUSTIVE MANAGEMENT AND MONITORING OF THE TREE PROTECTION ZONE.
    - TREES DESIGNATED TO BE PRESERVED SHALL BE MARKED CONSPICUOUSLY ON ALL SIDES AT A 5' TO 10' H. D. TREE PROTECTION ZONE SHALL BE ESTABLISHED TO BE PRESERVED BY ONE OF THE FOLLOWING METHODS:
      - ONE FT. RADIUS FROM TRUNK PER INCH DBH.
      - DIAP LINE OF TREE CANOPY. METHOD CHOSEN SHOULD BE BASED ON PROVIDING MAX PROTECTION ZONE POSSIBLE. A BARRIER OF SNOW FENCE OR EQUIV. IS TO BE PLACED AND MAINTAINED ONE YARD BEYOND THE EST. TREE PROTECTION ZONE. IF IT IS ASSESSED THAT THE TREE PROTECTION ZONE OF A TREE MUST BE VIOLATED, ONE OF THE FOLLOWING METHODS MUST BE EMPLOYED TO MITIGATE THE IMPACT:
        - LIGHT TO HEAVY IMPACTS: MIN. 18 INCHES OF WOOD CHIPS INSTALLED IN THE AREA TO BE PROTECTED. REMOVE CHIPS UPON COMPLETION OF WORK.
        - LIGHT IMPACTS ONLY: INSTALLATION OF 3/4 IN. OF PLYWOOD OR BOARDS, OR EQUIV. OVER THE AREA TO BE PROTECTED. THE BARRIER OR ITS AGENT MAY NOT CHANGE GRADE WITHIN THE TREE PROTECTION ZONE OF A PRESERVED TREE UNLESS SUCH GRADE CHANGE HAS RECEIVED FINAL APPROVAL FROM THE PLANNING BOARD. IF THE GRADE LEVEL IS TO BE CHANGED MORE THAN SIX INCHES, TREES DESIGNATED TO BE PRESERVED SHALL BE WELLED OR PRESERVED IN A RAISED BED, WITH THE TREE WELL A RADIUS OF THREE FEET LARGER THAN THE TREE CANOPY.

- SOIL EROSION AND SEDIMENT CONTROL NOTES:**
- TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AT KEY LOCATIONS TO INTERCEPT AND CLARIFY SILT LADEN RUNOFF FROM THE SITE. THESE MAY BE EXCAVATED OR MAY BE CREATED UTILIZING GARDEN BERM, RIP-RAP OR CRUSHED STONE DAMS, HAY BALES OR OTHER SUITABLE MATERIALS. DIVERSION SWALES, BERMS, OR OTHER CHANNELIZED SHALL BE CONSTRUCTED TO INSURE THAT ALL SILT LADEN MATERIALS ARE DIRECTED INTO THE ENTRAPMENT AREAS, WHICH SHALL NOT BE PERMITTED TO BE FILLED IN, BUT SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF CONSTRUCTION. THE COLLECTED SILT SHALL BE REMOVED IN AREAS SAFE FROM FURTHER EROSION.
  - ALL DISTURBED AREAS, EXCEPT ROADWAYS, WHICH WILL REMAIN UNIMPROVED FOR MORE THAN THIRTY (30) DAYS, SHALL BE TEMPORARILY SEEDED WITH 1/2 LB. OF PERENNIAL RHYERGRASS OR MULCHED WITH 100 LBS. OF STRAW OR HAY PER 1000 SQUARE FEET. ROADWAYS SHALL BE STABILIZED AS RAPIDLY AS PRACTICABLE BY INSTALLATION OF RAPID GROWING COURSE.
  - SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
  - AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY SEDIMENT BARRIERS SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, REPLANTED OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLAN.
  - THE SEED MIXTURE FOR PERMANENT SEEDINGS SHALL BE: KENTUCKY BLUEGRASS - 40 LBS./AC. (0.92 #/1000 SF) CREEPING RED FESCUE - 140 LBS./AC. (3.24 #/1000 SF) PERENNIAL RHYERGRASS - 50 LBS./AC. (1.15 #/1000 SF)
  - THE FOLLOWING APPLICATION RATES ARE TO BE USED FOR PERMANENT SEEDINGS: LIME IS TO BE APPLIED TO ATTAIN A PH OF AT LEAST 5.5 TO 6.0, OR AT A RATE OF 2 TONS/ACRES. FERTILIZER IS TO BE APPLIED AT A RATE OF 600 LBS. PER ACRE OR EITHER 5-10-10 OR 10-10-10.
  - SOO CAN BE USED INSTEAD OF SEED.
  - CONSTRUCTION SEQUENCE FOR EROSION CONTROL:
    - CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE.
    - INSTALL SEDIMENT BARRIERS AS PER NOTE #1 ABOVE.
    - CLEAR EXISTING TREES AND VEGETATION FROM AREAS TO BE EXCAVATED OR FILLED, STIP AND STOCKPILE TOPSOIL FROM ALL AREAS TO BE DISTURBED.
    - PERFORM NECESSARY EXCAVATION OR FILL OPERATIONS TO BRING SITE TO DESIRED GRADE.
    - INSTALL STORM DRAINAGE SYSTEM.
    - INSTALL SEDIMENT BARRIERS AROUND ALL STORM DRAIN INLETS.
    - SEED ALL DISTURBED AREAS WHICH WILL REMAIN UNDISTURBED FOR A PERIOD OF 30 DAYS AS PER NOTE #6 ABOVE.
    - AFTER COMPLETION OF THE SITE CONSTRUCTION, FINE GRADE AND SMOOTH TOPSOIL ON ALL LAWN AREAS AND SEED AS PER NOTE #6 AND #8 ABOVE.
    - REMOVE SEDIMENT BARRIERS AS PER NOTE #4 ABOVE.
    - MAINTAIN ALL SEEDED AND PLANTED AREAS TO INSURE A VISIBLE STABILIZED VEGETATIVE COVER.
- CONSTRUCTION SEQUENCE:**
- INSTALL ALL SOIL EROSION AND SEDIMENT CONTROL DEVICES AS PER PLAN, INCLUDING SILT FENCE AND WHEEL CLEANING BLANKET PER PLAN.
  - EXCAVATE AND INSTALL FOUNDATION.
  - CONSTRUCT DRAINAGE SYSTEM.
  - COMPLETE POOL/PATIO CONSTRUCTION.
  - INSTALL LANDSCAPING AND SOO.
  - TOPSOIL, FERTILIZE, SEEDING HAY MULCH ALL OTHER DISTURBED AREAS.
  - REMOVE SOIL EROSION AND SEDIMENT CONTROL DEVICES UPON FINAL STABILIZATION.

**THOMAS W. SKRABLE, P.E.**  
 PROFESSIONAL ENGINEER IN MECHANICAL ENGINEERING  
 LICENSE NO. 1879, NY 75377  
 LICENSE NO. 5204, NJ 5204

**DRAINAGE AND SESC PLAN**  
 SECTION 78.17 BLOCK 2 LOT 31  
 #667 OAK TREE ROAD  
 TOWN OF ORANGETOWN  
 ROCKLAND COUNTY NEW YORK

DATE: 4/10/23

**THOMAS W. SKRABLE, P.E., P.P., C.M.E.**  
**CONSULTING ENGINEER**  
 65 RAMAPO VALLEY ROAD, SUITE 213, MAHWAH, NJ  
 201-529-5010

DRAWN BY: T.S.  
 SURVEYED BY: J.G.  
 DESIGNED BY: T.S.  
 CHECKED BY: T.S.  
 D'WG NO. 23057PPO  
 JOB NO. 23-057

SHEET 1 OF 1

1" = 20' H

DECISION

**SIDE YARD AND TOTAL SIDE YARD VARIANCES APPROVED**

To: Jonathan Van Orden  
1 West Mears Avenue  
Beach Haven, New Jersey, 08008

ZBA # 11-60  
Date: July 20, 2011

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA# 11-60: Application of Jonathon Van Orden for variance from Chapter 43 (Zoning) Section 3.12, R-40 District, Group E, Columns 9 (Side Yard: 30' required, 14.6' proposed), and 10 (Total Side yard: 80' required, 43.31' proposed) for an addition to an existing single-family residence.. The premises are located at 667 Oak Tree Road, Palisades, New York an identified on the Orangetown tax Map as Section 78.17, Block 2, Lot 31; R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, July 20, 2011 at which time the Board made the determination hereinafter set forth.

Jonathan and Marissa Van Orden and Thomas Cusanelli, Architect, and Jesse DeRosa, appeared and testified.

The following documents were presented:

1. Architectural plans dated 04/18/2011 with the latest revision date of 05/24/2011 signed and sealed by Thomas F. Cusanelli, Architect. (13 pages)
2. A site plan not dated or signed submitted at ZBA Hearing.
3. A letter dated July 8, 2011 from the County of Rockland Department of Planning signed by Thomas Vanderbeek, P.E., Commissioner of Planning.
4. A letter dated June 1, 2011 from the County of Rockland Department of Highways signed by Joseph Arena, Principal Engineering Technician.

Mr. Mowerson made a motion to open the Public Hearing which motion was seconded by Ms. Salomon and carried unanimously.

On advice of Barbara Gionta, Deputy Town Attorney, acting counsel to the Zoning Board of Appeals, Mr. Mowerson 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) (9), (10), (12) and /or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Salomon and carried as follows: Mr. Sullivan, aye; Mr. Warren, aye; Ms. Salomon, aye; Ms. Albanese, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

Thomas Cusanelli, Architect, testified that the existing dwelling maintains 14.6' side yard; that the westerly side of the drawing that is hatched is the proposed addition;; that the proposed addition is in conformance for the most part; that one section of it intrudes into the side yard enough to cause the need for a total side yard variance; that the lot narrows along Oak Tree and widens at Fern Road; that there are designated wetlands in the rear by Fern Road; that the minimum total side yard is sixty feet and the application is providing 43.31 feet' and that the Palisades Community Center is approximately 20 to 25 feet away from the proposal.

Marissa Van Orden testified that they closed on the house in March and have been working on the plans to fix the house; that they are adding onto the kitchen and adding a mudroom family room and the finished house will have four bedrooms and two baths.

TOWN CLERKS OFFICE  
2011 Jul 21 AM 9:45  
TOWN OF ORANGETOWN



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. Mowerson made a motion to close the Public Hearing which motion was seconded by Ms. Albanese 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. The addition was designed to complement the existing historic structure and the existing house has an existing side yard of 14.6 feet and a small portion of the proposed addition causes the total side yard variance.
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. The addition was designed to complement the existing historic structure and the existing house has an existing side yard of 14.6 feet and a small portion of the proposed addition causes the total side yard variance.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances. The existing side yard requires a variance.
4. The requested side yard and total side yard variances, although substantial, will not have an adverse effect or impact on the physical or environmental conditions of the area. The addition was designed to complement the existing historic structure and the existing house has an existing side yard of 14.6 feet and a small portion of the proposed addition causes the total side yard variance.
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.

TOWN CLERKS OFFICE

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TOWN OF ORANGETOWN

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 as modified; 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.

TOWN CLERKS OFFICE

2011 AUG 11 AM 9 46


TOWN OF ORANGETOWN

The foregoing resolution to approve the application for the requested side yard and total side yard variances was presented and moved by Ms. Albanese, seconded by Ms. Salomon and carried as follows: Mr. Sullivan, aye; Mr. Warren, aye; Ms. Albanese, aye; Ms. Salomon, aye; and Mr. Mowerson, aye. Ms. Castelli was absent.

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

DATED: July 20, 2011

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

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

TOWN CLERKS OFFICE  
2011 AUG 11 AM 9 46  
TOWN OF ORANGETOWN

DECISION

**SIDE YARD AND TOTAL SIDE YARD VARIANCE APPROVED**

To: Jonathan and Marisa Van Orden  
667 Oak Tree Road  
Palisades, New York 10964

ZBA # 11-100  
Date: November 16, 2011

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#11-100: Application of Marisa and Jonathan Van Orden for variances from Chapter 43 (Zoning), Section 3.12, R-40 District, Group E, Columns 9 (Side Yard: 30' required, 14.6' proposed), 10 (Total Side Yard: 60' required, 43.31 proposed) for an addition to an existing single family residence. The premises are located at 667 Oak Tree Road, Palisades, New York and are identified on the Orangetown Tax Map as Section 78.17, Block 2, Lot 31; R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, November 16, 2011 at which time the Board made the determination hereinafter set forth.

Jonathan and Marisa Van Orden and Raymond Hartwick, Architect, appeared and testified.

The following documents were presented:

1. Site plan dated 10/18/2011 signed and sealed by Raymond Hartwick, Architect.
2. Architectural plans dated 10/18/2011 signed and sealed by Raymond Hartwick, Architect.
3. Zoning Board decision #11-60 dated July 20, 2011.

Mr. Mowerson 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. Mowerson 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) (9), (10), (12) and /or (13); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Warren, aye; Ms. Salomon, aye; Ms. Albanese, aye; Ms. Castelli, aye; and Mr. Mowerson, aye. Mr. Sullivan was absent.

Jonathan Van Orden testified that they had been before the Board earlier in the year and were approved for the requested variances; that they have hanged Architect's since they were approved; that the plans have changed; that they are extending out into the rear by 8'; that the piers for the carport had to be moved over slightly to accommodate the cars and these changes affected the side yard and total side yard.

TOWN CLERKS OFFICE  
2011 DEC 12 PM 10 16  
TOWN OF ORANGETOWN

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. Mowerson 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. The proposed change from the previously approved plan is minor.
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. The proposed change from the previously approved plan is minor.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.
4. The requested side yard and total side yard variances, are not substantial, 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 proposed change from the previously approved plan is minor.
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.

TOWN CLERKS OFFICE  
2011 DEC 12 AM 10 16  
TOWN OF ORANGETOWN

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.
- (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.

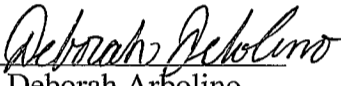
TOWN CLERKS OFFICE  
2011 DEC 12 PM 10 16  
TOWN OF ORANGETOWN

The foregoing resolution to approve the application for the requested side yard and total side yard variances was presented and moved by Ms. Castelli, seconded by Ms. Salomon, and carried as follows: Mr. Sullivan, aye; Ms. Castelli, aye; Ms. Albanese, aye; Ms. Salomon, aye; and Mr. Mowerson, 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: November 16, 2011

ZONING BOARD OF APPEALS  
TOWN OF ORANGETOWN

By   
Deborah Arbolino  
Administrative Aide

DISTRIBUTION:

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

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

TOWN OF ORANGETOWN  
2011 DEC 12 AM 10 16  
TOWN CLERKS OFFICE