

ZONING BOARD OF APPEALS

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

Date: September 30, 2024

TO: OBAPAE
Rockland County Sewer District #1
New York State Dept. of Transportation
Palisades Interstate Park Commission
Orange and Rockland Utilities
Veolia
CSX

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

This matter is scheduled for: October 30, 2024

Review of Plans: Genovesi, 17 Moehring Drive, Blauvelt, New York

Section: 70.18 Block: 3 Lot: 14; R-15 zone

Chapter 43, R-15 District, Group M, Section 3.12, Columns 9 (Side Yard: 20' required, 10.2' proposed) for an in-ground pool at an existing single-family residence. The premises are located at 17 Moehring Drive, Blauvelt, New York and identified on the Orangetown Tax Map as Section 70.18, Block 3, Lot 14 in the R-15 zoning district.

Please review the information enclosed and provide comments. These comments may be mailed or e-mailed 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: 26 West Orangeburg Road, Orangeburg, NY 10962
- Email to Zoning Board: KBettmann@orangetown.com

Zoning Board Meeting Date: October 30, 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, October 30, 2024. Kindly forward your completed review to this office by October 30, 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 type="checkbox"/> Residential
<input checked="" 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#: PoolR-5791-24
ASSIGNED
INSPECTOR: Ken

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

Project Name: genovesi

Street Address: 17 Mehring Dr
Blawett

Tax Map Designation:
Section: 70.18 Block: 3 Lot(s): 14
Section: _____ Block: _____ Lot(s): _____

Directional Location:
On the rear side of property, approximately _____ feet _____ of the intersection of _____, in the Town of _____ in the hamlet/village of _____
Acreage of Parcel _____ Zoning District R-15
School District _____ Postal District _____
Ambulance District _____ Fire District _____
Water District _____ Sewer District _____

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

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
Date: 9/18/24 Applicant's Signature: _____



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? No _____

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.



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: 9.10.24 Section: 70.18 Block: 3 Lot: 14

Applicant: Genovesi

Address: 17 Moehring Dr, Blauvelt, NY

RE: Application Made at: same

Referred For:

Chapter 43, Section 3.12, R-15 District, Column 9, Min Side Yard 20' with 10.2' proposed.

One Variance required

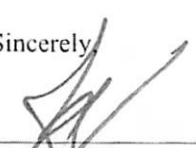
Comments:

Pool side yard

Dear Genovesi:

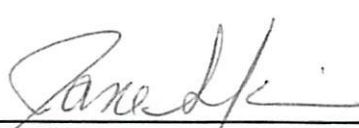
Please be advised that the Building Permit Application # 5791-24, which you submitted on 8.27.24, has been referred to the Town of Orangetown Zoning Board of Appeals. The Clerk to the Zoning Board of Appeals, Katlyn Bettmann can assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4316 or kbettmann@orangetown.com.

Sincerely,


Richard Oliver
Deputy Building Inspector

9/12/24




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

9/13/24

Date
Liz DeCort
Debbie Arbolino

SWIS	PRINT KEY	NAME	ADDRESS
392489	70.18-1-18	Dewilton W Lattimer III	23 Klee Ln,Blauvelt, NY 10913
392489	70.18-1-19	Teresa A D'Amico	11 Klee Ln,Blauvelt, NY 10913
392489	70.18-1-20	Jonathan Ryder	520 Western Hwy,Blauvelt, NY 10913
392489	70.18-1-21	Joseph S Moehrle	518 Western Hwy,Blauvelt, NY 10913
392489	70.18-1-22	Albert Tirado	14 Moehring Dr,Blauvelt, NY 10913
392489	70.18-1-23	Helene Parisi	20 Moehring Dr,Blauvelt, NY 10913
392489	70.18-1-24	Michael E Keaveney	28 Moehring Dr,Blauvelt, NY 10913
392489	70.18-1-25	Jonathan Ritter	38 Moehring Dr,Blauvelt, NY 10913
392489	70.18-1-28	Joseph Angelini	20 East Rd,Blauvelt, NY 10913
392489	70.18-2-9	Yosef Barbalat	513 Western Hwy,Blauvelt, NY 10913
392489	70.18-2-10	Ronald A Davis	511 Western Hwy,Blauvelt, NY 10913
392489	70.18-3-11	Christopher Tsanopoulos	41 Moehring Dr,Blauvelt, NY 10913
392489	70.18-3-12	Jason Hanley	35 Moehring Dr,Blauvelt, NY 10913
392489	70.18-3-13	William T Fahey	27 Moehring Dr,Blauvelt, NY 10913
392489	70.18-3-14	Robert Genovesi	17 Moehring Dr,Blauvelt, NY 10913
392489	70.18-3-15	Jonathan Svibruck	514 Western Hwy,Blauvelt, NY 10913
392489	70.18-3-16	Jason D Elmendorf	510 Western Hwy,Blauvelt, NY 10913
392489	70.18-3-17	Elizabeth Iskenderian	14 Goehring Curv,Blauvelt, NY 10913
392489	70.18-3-18	Christopher M Coyle	20 Goehring Curv,Blauvelt, NY 10913
392489	70.18-3-19	Eugenie M O'Connell	28 Goehring Curv,Blauvelt, NY 10913
392489	70.18-3-20	Michael Nordstrom	34 Goehring Curv,Blauvelt, NY 10913
392489	70.18-3-21	Steven M Tinston	23 Goehring Curv,Blauvelt, NY 10913
392489	70.18-3-22	Joseph Moehrle	15 Goehring Curv,Blauvelt, NY 10913
392489	70.18-3-23	Judith R Holmes	506 Western Hwy,Blauvelt, NY 10913



**FLOOR AREA RATIO, SIDE YARD AND TOTAL SIDE YARD VARIANCES
APPROVED**

To: Robert Genovesi
17 Moehring Drive
Blauvelt, New York 10913

ZBA #23-30
Date: September 6, 2023
Permit #BLDR#3524-23

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA# 23-30: Application of Robert Genovesi for variances from Zoning Code (Chapter 43) of the Town of Orangetown, Section 3.12, R-15 District, Group M, Columns 4 (Floor Area ratio: .20 permitted, .24 proposed), 9 (Side Yard: 20' required, 18.2' existing) and 10 (Total Side Yard: 50' required, 38.3' proposed) for an addition to the existing single-family residence. The premises are located at 17 Moehring Circle, Blauvelt, New York and are identified on the Orangetown Tax Map as Section 70.18, Block 3, Lot 14 in the R-15 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, September 6, 2023 at which time the Board made the determination hereinafter set forth.

Robert and Anne Genovesi appeared and testified.

The following documents were presented:

1. Plans labeled " Genovesi Residence Two-Story Addition" dated 01/30/2023 signed and sealed by Harry Goldstein, AIA. (4 pages)
2. A letter dated August 10, 2023 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
3. A letter dated August 31, 2023 from Rockland County Sewer District No. 1 signed by Nicholas King, Engineer I.
4. A letter dated July 28, 2023 signed by Dyan Rajasingham, Engineer III, Rockland County Highway Department.
5. A letter dated September 1, 2023 from Rockland County Health Department signed by Elizabeth Mello, P.E., Senior Pubic Health Engineer.
6. Ten signed letters from neighbors in support of the application.

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

On advice of Denise Sullivan, 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; Mr. Sullivan, aye; Mr. Bonomolo, aye; Ms. Castelli, aye; and Mr. Quinn, aye.

Anne Genovesi testified that they have lived in the area for with years and love it; that they purchased the house one year ago; that they have elderly parents that they want to live with them; that they cannot put them into a care facility; that they have four kids and work from home sometimes; that the existing house is 1400 square feet and the proposed house will be 3100 square feet; that they would bring in a chair lift for their parents; that there are two other houses on the street that look very similar to what they are proposing; that they are planning on working with the same contractors; and that most of the addition is behind and diagonal to street.

TOWN OF ORANGETOWN
SEP 15 2023 10:00 AM



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 Mr. Quinn 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, 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 floor area ratio, 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 variances.
4. The requested floor area ratio, side yard and total side yard 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. 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 variance.

TOWN OF ORANGETOWN
2023 SEP 15 A 10:09
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents presented, the Board **RESOLVED** that the application for the requested floor area ratio, 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 OF ORANGETOWN
2023 SEP 15 4 10: 09
TOWN CLERK'S OFFICE


Mr. Bosco made a motion to override comment #1 of the letter dated August 10, 2023 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning for the following reasons: although the variances seem large, the lot is undersized and the applicants are seeking to care for their parents within the existing single-family residence, and in order for that to work well additional living space is required; and two other houses on the street have constructed similar additions; which motion was seconded by Mr. Sullivan and carried as follows: Mr. Quinn, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Bosco, aye.

The foregoing resolution to approve the application for the requested floor area ratio, side yard and total side yard variances are APPROVED; was presented and moved by Mr. Bosco, seconded by Mr. Sullivan and carried as follows: Mr. Bosco, aye; Mr. Bonomolo, aye; Mr. Sullivan, aye; Ms. Castelli, aye; and Mr. Quinn, 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: September 6, 2023

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

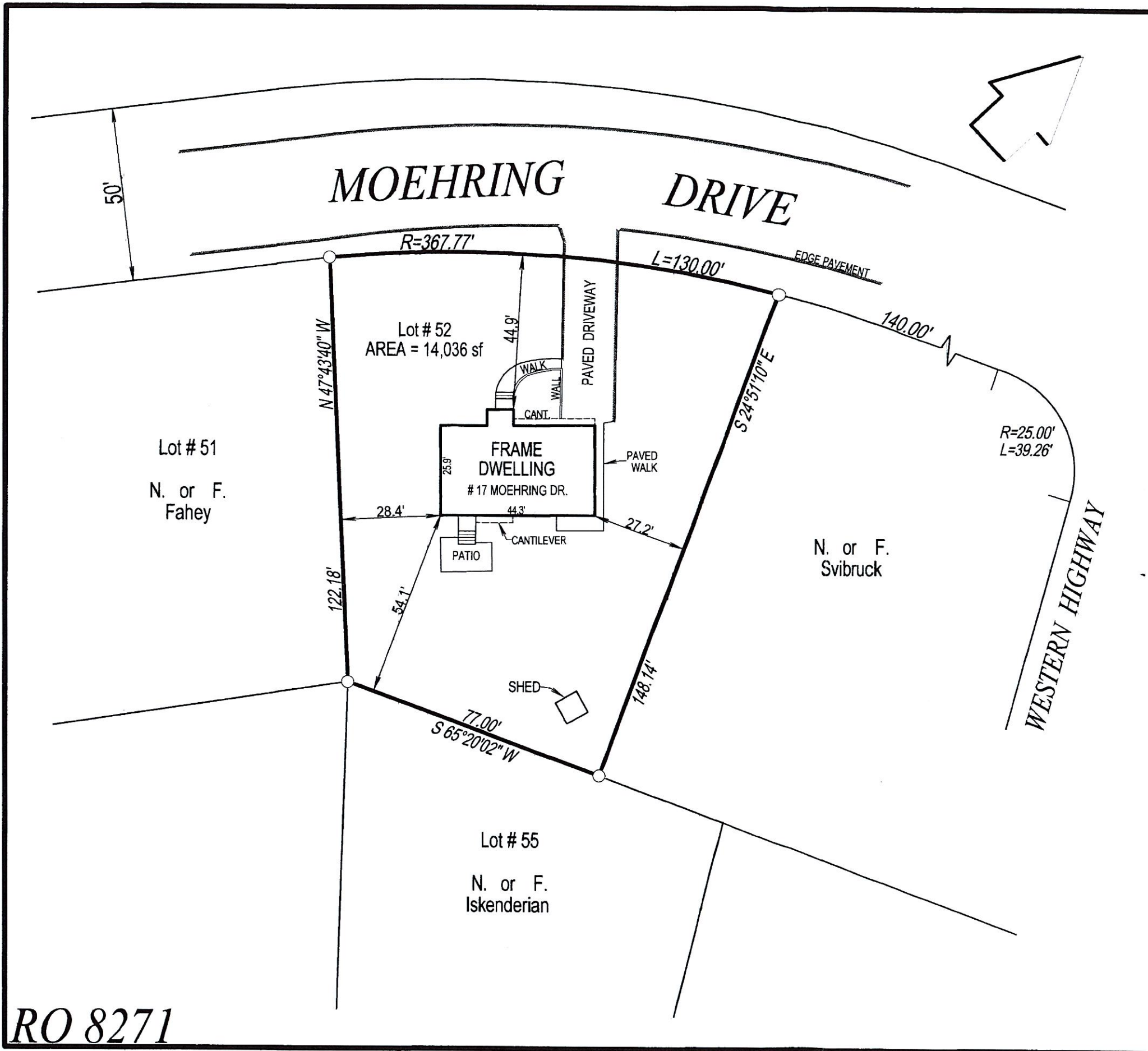
By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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

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

TOWN OF ORANGETOWN
2023 SEP 15 A 10:10
TOWN CLERK'S OFFICE



Land Survey
For
"GENOVESI"

Blauvelt
Town of Orangetown Rockland County, NY
Scale: 1" = 30' Area = 0.32 Ac.

October 8, 2022

Tax Lot Desig.: Section 70.18 Block 3 Lot 14

Reference: map entitled "SECTION 5, BRUNARD VILLAGE, INC.", Filed in the Rockland County Clerks Office February 1, 1954 in book 55 page 23 as map # 2270.

Certified to:

- * Ann Genovesi
- * Robert Genovesi

Certifications indicated hereon signify that this survey was prepared in accordance with the existing code of practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certification shall run only to the person for whom the survey is prepared, and on behalf of the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."



Town of Orangetown
MEETING OF:

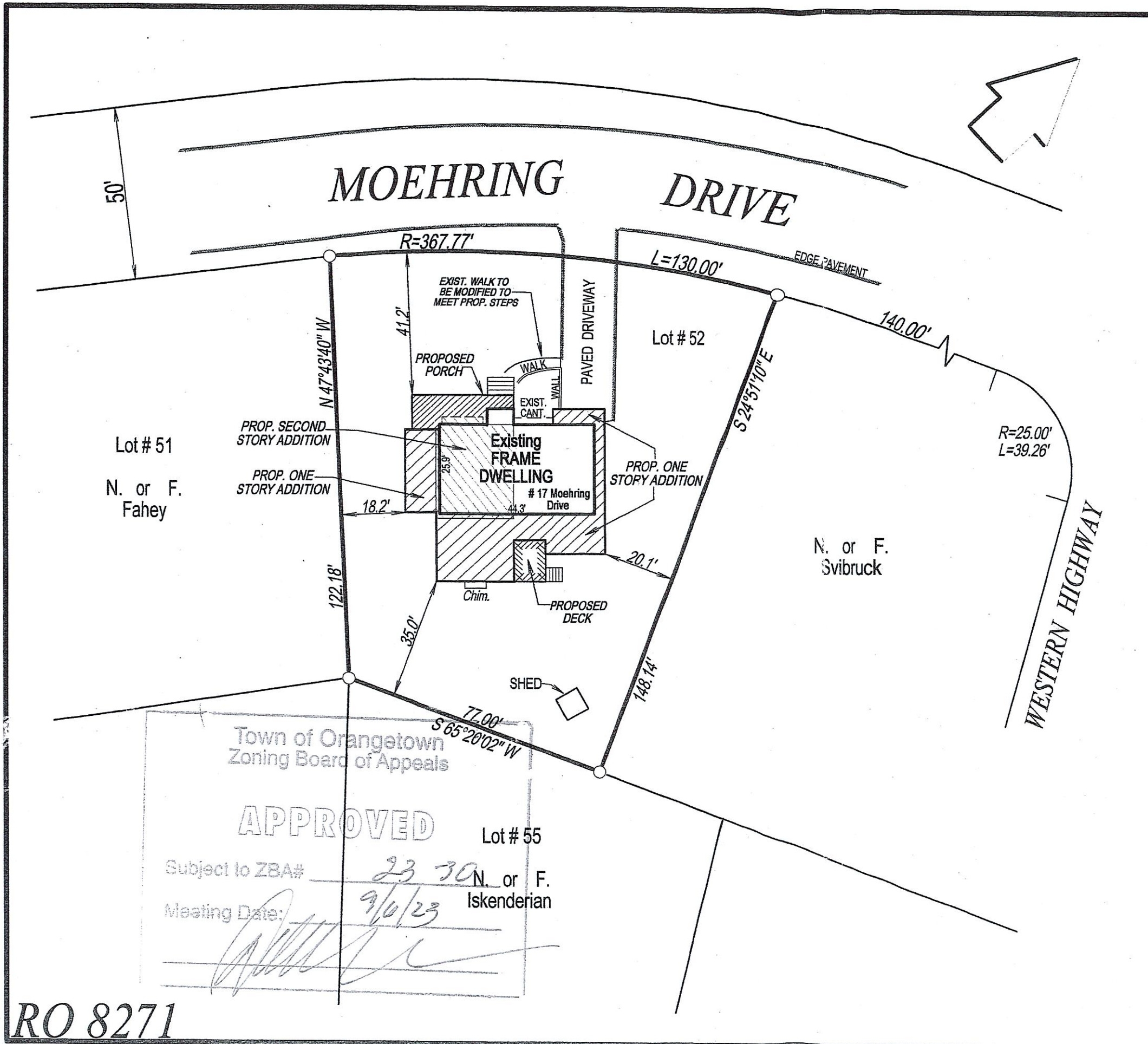
OCT 30 2024

ZONING BOARD OF APPEALS



[Signature]
Lic. 49162
Robert E. Sorace, PLS
135 South Main Street
New City, NY 10956
845-638-1498

RO 8271



PROPOSED ADDITION

Land Survey
For

"GENOVESI"

Blauvelt

Town of Orangetown
Scale: 1" = 30'

Rockland County, NY
Area = 0.32 Ac.

October 8, 2022
February 10, 2023 - Revised

Tax Lot Desig.: Section 70.18 Block 3 Lot 14

Reference: map entitled "SECTION 5, BRUNARD VILLAGE, INC.", Filed in the Rockland County Clerks Office February 1, 1954 in book 55 page 23 as map # 2270.

Zone R-15 Bulk Regulations Group-M

Item	Required	Existing	Proposed
Lot Area	15,000 sf	* 14,036 sf	No Change
Lot Width	100 ft.	117.5 ft.	No Change
Street Frontage	75 ft.	130 ft.	No Change
Front Yard	30 ft.	44.9 ft.	41.2 ft.
Side Yard	20 ft.	27.2 ft.	**18.2 ft.
Total Side Yard	50 ft.	55.6 ft.	**38.3 ft.
Rear Yard	35 ft.	54.1 ft.	35.0'
Max.F.A.R.	0.20	0.13	**0.24'
Max Bldg. Height	1 ft. per ft. from lot line	5" per ft. fr. lot line 19 ft.	7.5" per ft. fr. lot line 25'-8"

* Denotes Pre-existing Non-conforming
** Denotes Variance Required
Town of Orangetown
MEETING OF:



OCT 30 2024

TOWN OF ORANGETOWN
LAND USE BOARDS

ZONING BOARD OF APPEALS



Robert E. Sorace
Robert E. Sorace, PLS
135 South Main Street
New City, NY 10956
845-638-1498
Lic. 49162

RO 8271

Town of Orangetown
Zoning Board of Appeals

APPROVED

Lot # 55

Subject to ZBA# 23 30 N. or F. Iskenderian
Meeting Date: 9/6/23

[Signature]

