

MINUTES
ZONING BOARD OF APPEALS
January 15, 2025

MEMBERS PRESENT: ROBERT BONOMOLO, JR.
 BILLY VALENTINE
 PATRICIA CASTELLI
 THOMAS QUINN
 ANTHONY DEROBERTIS, ALTERNATE

ABSENT: MICHAEL BOSCO, CHAIRMAN

ALSO, PRESENT: Denise Sullivan, Deputy Town Attorney
 Katlyn Bettmann, Administrative Aide
 Anne Marie Ambrose, Official Stenographer

This meeting was called to order at 7: 05 P.M. by Acting Chairwoman Castelli.
Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

PUBLISHED ITEMS

APPLICANTS

DECISIONS

CONTINUED ITEM:

WARD FAMILY TRUST/ MADELINE & MICHAEL WARD 234 Betsy Ross Drive Orangeburg, New York 73.16 / 2 / 42; R-22 - zone	FRONT YARD, SIDE YARD, FLOOR AREA RATIO VARIANCES APPROVED	ZBA#24-59
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AWAL 50 Woods Road Palisades, New York 78.18-1-37; R-80	POSTPONED BY APPLICANT	ZBA#24-51
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NEW ITEMS:

WYMAN FISHER FUNERAL HOME/ DAVID FISHER 96-100 Franklin Avenue Pearl River, New York 68.20 / 2 / 70; CS - zone	CONTINUED TO FEBRUARY 5, 2025	ZBA#25-01
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PALISADES FREE LIBRARY 19 Closter Road Palisades, New York 78.17 / 2 / 22; R-40 – zone	FLOOR AREA RATIO, SIDE YARD, AND OFF-STREET PARKING VARIANCES APPROVED W/ CONDITION	ZBA#25-02
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THE DECISIONS RELATED TO THE ABOVE HEARINGS are inserted herein and made part of these minutes.

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The verbatim minutes, as recorded by the Board's official stenographer for the above hearings, are not transcribed.

OTHER BUSINESS:

In response to requests from the Orangetown Planning Board, the Zoning Board of Appeals: RESOLVED, to approve the action of the Acting Chairperson executing on behalf of the Board its consent to the Planning Board acting as Lead Agency for the State Environmental Quality Review Act (SEQRA) coordinated environmental review of actions pursuant to SEQRA Regulations § 617.6 (b)(3) the following applications: Montar 303 Subdivision, 636 N. Greenbush Road, Blauvelt, New York 65.15 / 1 / 1 & 2; R-40 & LO zone; Garcia – 16 DeLongis Court Retaining Site Plan, 16 DeLongis Court, Sparkill, New York 77.12 / 1 / 34.2; RG zone; Dimeglio – 22 DeLongis Court Retaining Site Plan, 22 DeLongis Court, Sparkill, New York 77.12 / 1 / 34.5; RG zone; Bonfiglio – 24 DeLongis Court Retaining Site Plan, 24 DeLongis Court, Sparkill, New York 77.12 / 1 / 34.6; RG zone; O'Donohue - DeLongis Court Retaining Site Plan, 26 DeLongis Court, Sparkill, New York 77.12 / 1 / 34.7; RG zone; and FURTHER RESOLVED, to request to be notified by the Planning Board of SEQRA proceedings.

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 9:25 P.M.

Dated: January 15, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By



Katlyn Bettmann, Administrative Aide

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

TOWN OF ORANGETOWN
2025 JAN 27 P 1:21
TOWN CLERK'S OFFICE

DECISION
FRONT YARD, SIDE YARD, AND FLOOR AREA RATIO VARIANCES APPROVED

To: Matthew Oscar (Ward Family Trust)
222 Ackertown Road
Monsey, New York

ZBA #24-59
Date: November 20, 2024 & January 15, 2025
Permit # BLDR-5940-24

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA# 24-59: Application of Ward Family Trust / Madeline and Michael Ward, for variances from Zoning Code (Chapter 43), R-22 District, Section 3.12, Group I, Column 4 (Floor Area Ratio: 20% permitted, with 23.65% proposed), Column 8 (Front yard: 40' required, with 35' proposed), and from Column 9 (Side yard: 25' required, with 22' proposed), for alterations and an extension, at an existing two-family dwelling. The premises are located at 234 Betsy Ross Drive, Orangeburg, New York and identified on the Orangetown Tax Map as Section 73.16, Block 2, Lot 42 in the R-22 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, November 20, 2024 & January 15, 2025 at which time the Board made the determination hereinafter set forth.

At the November 20, 2024 meeting:

Matthew Oscar, Architect, and Madeline Ward, Homeowner, appeared and testified.

The following documents were presented:

1. Architectural Plans, 234 Betsy Ross Drive, with the most recent revision date of October 20, 2024 signed and sealed by Matthew R. Oscar, R.A. (6 pages).
2. Survey dated August 11, 2024 signed and sealed by Anthony R. Celentano, P.L.S..

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

At the November 20, 2024 meeting:

Madeline Ward, Homeowner, testified that her Mother recently passed away; that we had built a two-family home for her; that her daughter is now going to be moving in with them; that she would like to add a bathroom and close it off, closet, and storage space to the upstairs primary suite area to make it neater; that the expansion will not be going past the staircase; that they will be taking part of the deck and making it part of the house; that she has spoken to the neighbors prior to hiring the architect, and they had no issues with the changes; that part of the garage is going to be kept as a garage;

Matthew Oscar, Architect, testified that the three (3) car garage will now be a two (2) car garage; that the space is not to be rented; that the restricted covenant is for family; that previously it was the Applicant's mother residing in the space and will now be the homeowner daughter and her family residing in the space; that A-5 shows the basement as a finished basement and listed as existing with no work to be done; that there is a privacy screen in the basement, but there is no door separating the space; that the space exits through the rear deck and flows naturally; that the bulk listed was not divided it was totaled; that the permit was to renovate a bay of the garage into a storage area; that he listed the multi-purpose room and the other bays are to remain the garage; that this will not be storage; that the multi-purpose room is for an office; that they would like to extend the first floor instead of having to build on stilts; that the existing garage bay on the West side is going to remain; that the garage bay on the East side is going to be renovated into a multi-purpose room; that the door can be removed if the Board would like; that he understands where the discrepancies are and believes that the approved plans from 2007 would help clarify things; that they would like a continuance to clarify and show the history.

TOWN OF ORANGETOWN

At the November 20, 2024 meeting:

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.

At the January 15, 2025 meeting:

ZBA# 24-59: Application of Ward Family Trust / Madeline and Michael Ward, for variances from Zoning Code (Chapter 43), R-22 District, Section 3.12, Group I, Column 4 (Floor Area Ratio: 20% permitted, with 23.65% proposed), Column 8 (Front yard: 40' required, with 35' proposed), and from Column 9 (Side yard: 25' required, with 22' proposed), for alterations and an extension, at an existing two-family dwelling. The premises are located at 234 Betsy Ross Drive, Orangeburg, New York and identified on the Orangetown Tax Map as Section 73.16, Block 2, Lot 42 in the R-22 zoning district.

Matthew Oscar, Architect, and Madeline Ward and Michael Ward, Homeowner, appeared and testified.

The following documents were presented:

1. Architectural Plans, 234 Betsy Ross Drive, with the most recent revision date of November 29, 2024 signed and sealed by Matthew R. Oscar, R.A. (A-001.00).
2. Architectural Plans, 234 Betsy Ross Drive, with the most recent revision date of November 27, 2024 signed and sealed by Matthew R. Oscar, R.A. (2 pages, A-004.00 & A-005.00).
3. Architectural Plans, Ward Addition ZBA#07-68 stamped plans, dated April 9, 2007, signed and sealed by Kathryn L. Connell, R.A., (7 pages).
4. A letter dated September 28, 2007, from the Office of the Town Attorney of the Town of Orangetown, signed by Kevin T. Mulhearn, Deputy Town Attorney, with an attachment of the Rockland County Clerk Recording Sheets for the restricted covenant((5pages)
5. Narrative of changes made in this submission, dated December 1, 2024, from Matthew Oscar, Architect (2 pages).

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

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

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2025 JAN 27 5 11 PM
TOWN CLERK'S OFFICE

At the January 15, 2025 meeting:

Madeline Ward, Homeowner, testified that we were asked to identify rooms which we have done; that we were asked to look in to the square footage of the rooms which was also done; that we have outlined the changes to the drawings in red; that the multi-purpose room is now labelled as the library; that we have also identified the bedrooms in the house; that there are three bedrooms in the existing house and one bedroom downstairs which is the same number of bedrooms as there have been for the last seventeen years;

Matthew Oscar, Architect, testified that the focus of the continuance was for them to separate the living area for Madeline's mother; that he has highlighted this to show where it was, that they have removed the door where the Board had requested; that this is a corner lot with two front yards; that his intentions on the plans were to show what was legally existing; that the existing conditions to the front of the house thirty-six point eight (36.8') feet and forty-two point eight (42.8') feet; that one of the measurements were shown as that was their main focus however the other measurement can be added to the plans; that the surveys do not put the measurements on the house so he may have had the survey from the earlier submission; that he will mark up the plans to ensure these are the measurements from the "Celentano" survey; That he will also note the correction on the bulk table and any missing measurements on plan page A-005; that the front yard setback measurement to Betsy Ross is thirty-one point seven (31.7') feet and to Rutgers Road it is thirty-four point seven (34.7') feet; that one of the surveys was from the 2007 project and the other surveyor re-did it;

Acting Chairwoman Castelli requested for the Applicant's Architect to mark the correct measurements on the plans and initial them. This included the existing the existing front yard setbacks, the overall measurement from the recreational room to the library, on A-001.00 and A-005.00. Mr. Oscar agreed and did so.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Acting Chairwoman Castelli made a motion to close the Public Hearing which motion was seconded by Mr. Bonomolo and carried unanimously.

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

1. The requested front yard, side yard, and floor area ratio variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. An increase in the size of the family requires more space.

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2. The requested front yard, side yard, and floor area ratio variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. An increase in the size of the family requires more space.
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 front yard, side yard, and floor area ratio 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. An increase in the size of the family requires more space.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvement, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variance.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested front yard, side yard, and floor area ratio 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.

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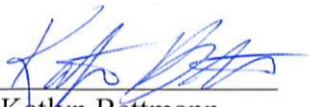
(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown 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 front yard, side yard, and floor area ratio variances are APPROVED; was presented and moved by Acting Chairwoman Castelli, seconded by Mr. Valentine and carried as follows: Acting Chairwoman Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye, Mr. Bosco 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: January 15, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Katlyn Bettmann
Administrative Aide

DISTRIBUTION:

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

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

TOWN CLERK'S OFFICE
2025 JAN 27 P 1:21
TOWN OF ORANGETOWN

DECISION

FLOOR AREA RATIO, SIDE YARD, AND OFF-STREET PARKING VARIANCES APPROVED WITH A CONDITION

To: Michael Esmay(Palisades Free (Library)
17 Van Houten Street
Upper Nyack, New York

ZBA #25-02
Date: January 15, 2025
Permit #BLDC-4891-24

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA# 25-02: Application of Palisades Free Library, for variances from Zoning Code (Chapter 43), R-40 District, Table 3.12, Group E, Column 4 (Floor Area Ratio: .15 permitted, with .31 existing and .325 proposed), Column 9 (Side Yard: 30' required, with 12' proposed), from table 3.11, Column 6, #3(Off-Street parking: 21 spots required, with 11 spots existing and proposed), for a one-story addition to an existing Public Library. The premises are located at 19 Closter Road, Palisades, New York and identified on the Orangetown Tax Map as Section 78.17, Block 2, Lot 22 in the R-40 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a Hearing held on Wednesday, January 15, 2025 at which time the Board made the determination hereinafter set forth.

Michael Esmay, Architect, Maria Gagliardi, Library Director, Marjori Gaylan, Library Board of Trustees, appeared and testified.

The following documents were presented:

1. Site plans and floor plan, labelled Palisades Free Library, with the most recent revision date of November 1, 2024, signed and sealed by Dennis M. Letson, L.P.E., & Robert Michael Esmay, R.A., (1 page).
2. Section A and elevations, labelled Palisades Free Library, with the most recent revision date of November 1, 2024, signed and sealed by Robert Michael Esmay, R.A., (2 pages).
3. Survey dated May 22, 2014 signed and Sparaco & Youngbood, P.L.L.C...
4. A Short Environmental Assessment Form, dated November 3, 2024.
5. A letter from the Board of Trustees of the Palisades Free Library, giving Michael Esmay authorization for this project, dated October 23, 2024.
6. A narrative packet including computer generated maps (8 pages).
7. A letter dated January 2, 2025 from Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
8. A letter dated December 10, 2024 from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III.
9. A "comments attached, to be provided before hearing" from Rockland County Department of Planning signed by Jake Palant dated December 11, 2024.

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

Michael Esmay, Architect, testified that he has been involved with the Palisades Library for quite a few years; that the library has been there for at least seventy (70) years and in that time there have been several additions; that the children's room is currently aisles between stacks and badly needs this addition; that this would be consistent to the neighborhood and everything that's been done; that the addition is partially in the ground and will have zero impact; that he spoke to the one neighbor to the West and they were supportive of the project and are currently concerned with the water issues; that there is no other way to achieve what is being proposed; that this property is in residential area and is use by right; that the cross hatch area in SW corner on the plans is the area that would be allowed with setback allowed; that there is no area allowed within the setback; that this is not a unique variance as each red dot which he has indicated is a non-conforming property in the zone and some of which are significant;

that the requested variances are not substantial; that the floor area ratio it is only five (5%) percent of the library area; that the existing setbacks are one point five (1.5') feet; that this would not be substantial; that this would be self-created from when this was bought seventy (70) years ago and over time anything could become non-conforming including this present use; that the Planning Board decision granted a whole list of items that this work will not significantly affect; that all of the listed items refer to what we have just discussed and the impact on the neighborhood; that they will not be increasing any parking; that the parking has not changed and will change due to this addition; that the Library has potentially looked at purchasing other properties to use for parking in the future but have not made any of these purchases as of yet; that in his opinion and in the libraries opinion there will be no increased burden on parking; that there will be no impact on the County Road as well; and there will be no additional affect of the catch basin.

Maria Gagliardi, Library Director, testified that she wasn't with the library at the time of when the seating area was put in outside of the children's room downstairs; that it is made of sunken stone; that over the years rain water has flown into Library due to the issues at the area of the Library; most recently Hurricane Ida had flooded into the children's room,; that they have tried to remediate the waterflow issues by installing a large pipe for the water to flow; that they need to protect the building and they would also like to add more space for children's room; that they are propping to get rid of sunken seating area and add space to the children's room

Marjori Gaylan, Library Board of Trustees, testified that at time of overflow parking there is legal parking on Closter road that can be utilized; that they also plan ahead when events are scheduled and have their staff park in other legal parking streets such as Fern Avenue.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Acting Chairwoman Castelli moved for a Board determination that the foregoing application seeks area or bulk variances for construction or expansion of primary, or accessory or appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls; this application is exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (9); which does not require SEQRA environmental review. The motion was seconded by Mr. Bonomolo and carried as follows: Acting Chairwoman Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye, Mr. Bosco was absent.

Public Comment:

No public comment.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Acting Chairwoman Castelli made a motion to close the Public Hearing which motion was seconded by Mr. Valentine and carried unanimously.

TOWN CLERK'S OFFICE

SEP 23 11:22

TOWN OF ORANGETOWN

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 off-street parking variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The addition for the children's room will eliminate hazardous weather-related conditions due to flooding. There will be no increase in the current parking area.
2. The requested floor area ratio, side yard, and off-street parking variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The addition for the children's room will eliminate hazardous weather-related conditions due to flooding. There will be no increase in the current parking area.
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 off-street parking variances although substantial, and affords benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. The addition for the children's room will eliminate hazardous weather-related conditions due to flooding. There will be no increase in the current parking area.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvement, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variance.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested floor area ratio, side yard, and off-street parking variances are APPROVED; and FURTHER RESOLVED, with the Specific Conditions (1) A road work permit shall be required from the Rockland County Highway Department prior to starting any construction activities in the site; that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

The foregoing resolution to approve the application for the requested floor area ratio, side yard, and off-street parking variances are APPROVED; and FURTHER RESOLVED, with the Specific Conditions (1) A road work permit shall be required from the Rockland County Highway Department prior to starting any construction activities in the site;; was presented and moved by Mr. DeRobertis, seconded by Mr. Quinn and carried as follows: Acting Chairwoman Castelli, aye; Mr. Bonomolo, aye; Mr. Valentine, aye. Mr. Quinn, aye; and Mr. DeRobertis, aye, Mr. Bosco 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: January 15, 2025

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By


Katlyn Bettmann
Administrative Aide

DISTRIBUTION:

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

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

TOWN CLERK'S OFFICE
2025 JAN 27 P 1: 22
TOWN OF ORANGETOWN