

ZONING BOARD OF APPEALS

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

Date: March 14, 2025

TO: OBAPAE

- | | |
|--|---------------------------------|
| NYS Dept of Environmental Conservation | Rockland County Drainage |
| ✓ New York State Dept. of Transportation | ✓ Rockland County Health |
| Palisades Interstate Park Commission | ✓ Rockland County Planning |
| NYS Thruway Authority | ✓ Rockland County Highway |
| ACOE | Rockland County Sewer Dstrt #1 |
| CSX | ✓ Orange and Rockland Utilities |
| ✓ Rockland County Office of
Fire & Emergency Services | ✓ Veolia |

This matter is scheduled for: April 16, 2025

Review of Plans: Lafamiglia Lanni Restaurant Outdoor Dining Plan, 645 Main Street, Sparkill, NY

Section: 77.08 Block: 5 Lot: 48.1^{48.2} CS zone

Chapter 43, CS District, Section 3.11, Column 7, No.1. "same as R-80";; R-80 Column 7, #6, "all restaurants ... shall be within completely enclosed buildings, unless by special permit of the ZBA: Special permit requested; and to renew the variances and Special Permit granted in ZBA#17-56: (Sparkill Temporary Play Area) for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-80 District, Section 3.11, Group A, Column 4, #9 refers to CS District, Section 3.12, Group FF, Section 3.12, and Column 10 (Total Side Yard: 25' required, 0' proposed) and 11 (Rear Yard:25' required, 0' proposed) for outdoor dining. The premises are located at 645 Main Street, Sparkill, New York and identified on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.1 & 48.2 in the CS 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 Orangeburg Road, Orangeburg, NY 10962
- Email to Zoning Board: KBettmann@orangetown.com

Zoning Board Meeting Date: April 16, 2025

- () 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, April 16, 2025.**
Kindly forward your completed review to this office BEFORE April 16, 2025
Reviewing Agency _____

Name: _____ Date: _____

Signature: _____
Thank you, **Katlyn Bettmann (EXT. 4316)**

PROJECT NARRATIVE

(77.08-5-48.1)

LaFamiglia Lanni's Restaurant
645 Main Street
Sparkill, NY 10976

Re: *OUTDOOR DINING PERMIT*

This fine dining restaurant opened in downtown Sparkill in May of 2023. For the past 2 summers, Lanni's has successfully used the outdoor dining area using the Covid temporary outdoor dining permit to serve their customers who specifically ask to be seated outside in the fresh air during the warm weather.

While operating and serving patrons in the outdoor space, there have been zero complaints from neighbors about noise or parking. In fact, Lanni's is the only restaurant in downtown Sparkill that owns it's own parking lot and provides Valet parking on the weekends.

Starting and opening a small family restaurant was difficult for our first 2 years but we depended on our outdoor dining to get us through the quieter winter months. If we lose our outdoor dining permit, it will cause a financial hardship to our business. We thank you in advance for consideration in granting this much needed outdoor dining special permit.

RECEIVED

MAR 06 2025

**TOWN OF ORANGETOWN
LAND USE BOARDS**

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

Please check all that apply:

<input checked="" 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 checked="" type="checkbox"/> Special Permit	<input type="checkbox"/> Interpretation
<input type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: BLDC-000665-22
 ASSIGNED
 INSPECTOR: Dom

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

Project Name: La Famiglia / Lanni Restaurant

Street Address: 645 MAIN STREET
Sparkill NY 10976

Tax Map Designation:
Section: 77.08 Block: 5 Lot(s): 48.1
Section: _____ Block: _____ Lot(s): _____

Directional Location:
On the West side of Main street, approximately
50 feet North of the intersection of Union Street, in the
Town of Orangetown in the hamlet/village of Sparkill
Acreage of Parcel 0.0829 Zoning District CS
School District South Orangetown Postal District Sparkill
Ambulance District South Orangetown Fire District Sparkill
Water District Veolia Sewer District Orangetown

Project Description: (If additional space required, please attach a narrative summary.)
Outdoor dining during warmer months

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
Date: 3-5-25 Applicant's Signature: [Signature]

RECEIVED

MAR 06 2025

TOWN OF ORANGETOWN
LAND USE BOARDS

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.

Outdoor Dining Permit

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? YES ZBA# 23-21

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.

July 5, 2023

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

RECEIVED

MAR 06 2025

TOWN OF ORANGETOWN
LAND USE BOARDS

ZONING BOARD OF APPEALS

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

Date: June 1, 2023

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
*re Fire Services ✓
Village of Piermont*

Review of Plans: Lafamiglia Lanni Restaurant Outdoor Dining Plan, 645 Main Street, Sparkill, NY

Section 77.08 Block 5 Lot 48.1; CS zone

This matter is scheduled for:

Chapter 43, CS District, Section 3.11, Column 7, No.1. "same as R-80"; R-80 Column 7, #6, "all restaurants ...shall be within completely enclosed buildings, unless by special permit of the ZBA: Special permit requested; and to renew the variances and Special Permit granted in ZBA#17-56: (Sparkill Temporary Play Area) for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-80 District, Section 3.11, Group A, Column 4 #9 refers to CS District Section 3.12, Group FF, Section 3.12, and Column 10 (Total Side Yard: 25' required, 0' proposed) and 11 (Rear Yard:25' required, 0' proposed) for outdoor dining. The premises are located at 645 Main Street, Sparkill,, New York and identified on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.1 in the CS 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: darbolino@orangetown.com or
- Fax to the Town of Orangetown ZBA @845 359 8526

Zoning Board Meeting Date: July 5, 2023

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

This project is before the Zoning Board on **Wednesday July 5, 2023**. **Kindly forward your completed review to this office by July 5, 2023.**

Reviewing Agency _____

Name _____ date: _____

Signature: _____

Thank you, Deborah Arbolino

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: 2023-06-01

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 type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: BLDC-665-22
ASSIGNED
INSPECTOR: Dom

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

Project Name: LA FAMIGLIA LANNI INC.

Street Address: 645 MAIN STREET & 3 UNION STREET
SPARKILL, NEW YORK 10956

Tax Map Designation:

Section: <u>77.08</u>	Block: <u>5</u>	Lot(s): <u>48.1 (LOT 1)</u>
Section: <u>77.08</u>	Block: <u>5</u>	Lot(s): <u>48.2 (LOT 3)</u>

Directional Location:

On the WEST side of MAIN STREET, approximately 50 feet NORTH of the intersection of UNION STREET, in the

Town of <u>ORANGETOWN</u> in the hamlet/village of <u>SPARKILL</u>	
Acreage of Parcel <u>0.0829</u>	Zoning District <u>CS</u>
School District <u>SOUTH ORANGETOWN</u>	Postal District <u>SPARKILL</u>
Ambulance District <u>SOUTH ORANGETOWN</u>	Fire District <u>SPARKILL</u>
Water District <u>VEOLIA NORTH AMERICA</u>	Sewer District <u>ORANGETOWN</u>

Project Description: (If additional space required, please attach a narrative summary.)
conversion of parking area established under Town of Orangetown Planning Board Site Plan Approval #11-42 dated September 14, 2011 and previously approved outdoor play area (Town of Orangetown ZBA Appeal #17-56 dated July 19, 2017) to outdoor dining area for existing restaurant, La Famiglia Lanni Inc..

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

Date: 2023-06-01 Applicant's Signature: Kimberly Auth

APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE.

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

If subdivision: N/A

- 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: N/A

- 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.

Town of Orangetown Chapter 43, Table 3.11, CS district, Column 7, No.1 "same as R-80"; R-80 Column 7, #6, "all restaurants... shall be within completely enclosed buildings, unless by special permit of the ZBA. Property = 77.08-5-48.2 (LOT3)

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area NO

Are there streams on the site? If yes, please provide the names. NO

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

NO

Project History:

Has this project ever been reviewed before? YES, by planning board

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.

PB# 22-41 - application dated 2022-03-17
this application supercedes PB # 22-41

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

77.08 - 5 - 48.1 - QUINN DEVELOPMENT
77.08 - 5 - 48.2 > SEAN QUINN
77.08 - 5 - 48.3

Sean Quinn
127 River Road,
Grandview, New York 10960

Town of Orangetown
20 Greenbush Avenue
Orangeburg, New York 10962

Re: Zoning Board of Appeal Application for Area Variances and Special Permit to 3
Union Street, Sparkill, New York 10976

We authorize our architect, Jonathan B. Hodosh, to act as our agent in all matters concerning planning and zoning board applications, building permits, construction, and any variances that may be required for our project at 3 Union Street, Sparkill, New York 10976. This includes signing of applications (including owner's consent) and correspondence; and appearing before all required boards.

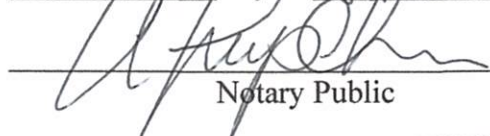
Sincerely,



Owner: Sean Quinn
Mailing 127 River Road,
Address: Grandview, New York 10960

SWORN to before me this

1st day of June, 2023


Notary Public

Audrey M. Lupachino
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01LU6417665
Qualified in Rockland County
Commission Expires May 17, 2025

Narrative to Town of Orangetown Zoning Board of Appeals

May 31, 2023

La Famiglia Lanni Inc. Outdoor Seating Site Plan

645 Main Street, Sparkill, New York 10976

SBL: 77.08-5-48.1

3 Union Street, Sparkill, New York 10976

SBL: 77.08-5-48.2

Project Description

Applicant is seeking approval of a Special Permit and renewal of existing Total Side Yard and Rear Yard variances granted July 19, 2017 under ZBA Appeal #17-56, to convert parking area established under Town of Orangetown Planning Board Site Plan Approval #11-42 dated September 14, 2011 and previously approved outdoor play area (Town of Orangetown ZBA Appeal #17-56 dated July 19, 2017) to outdoor dining area for existing restaurant, La Famiglia Lanni Inc.

This parcel is part of a subdivision approval received on 2011-09-14. The approved restaurant is located on lot 1 (77.08 - 5 - 48.1) owned by Quinn Development LLC. The proposed outdoor dining is located on lot 3 (77.08 - 5 - 48.2) owned by Sean Quinn. The proposed outdoor dining is subject to an easement between Quinn Development LLC and Sean Quinn dated March 7, 2023 allowing the restaurant to use the indicated area for outdoor dining.

GEORGE HODOSH ASSOCIATES – ARCHITECTS, P.C.

337 North Main Street, Suite 12, New City, New York 10956

Phone: 845-638-9336 ♦ Website: www.HodoshAssociates.com ♦ Email: info@HodoshAssociates.com



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

20 Greenbush Road
Orangeburg, N.Y. 10962

Jane Slavin, R.A.
Director

(845)359-8410

Fax: (845) 359-8526

DENIAL TO THE ZONING BOARD OF APPEALS

Date: March 10, 2022

Applicant: Quinn

Address: 645 Main St, Sparkill, NY

RE: Application Made at: same

Chapter 43, Table 3.11- Column 1 CS District, Column 7 Additional Use Regulations, #1 Refers...Same as R-80, Table 3.11- Column 1 R-80 District, Column 7, #6 All Restaurants shall be within completely enclosed building.

One variances required

Section: 77.08

Block: 5

Lot: 48.1

Dear Quinn:


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

February 1, 2022, has been denied. I have enclosed a Xerox copy of your application, where you will find at the bottom the reason for denial.

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

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

Sincerely,


3.10.22
Richard Oliver
Deputy Building Inspector

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

Date
CC: Rosanna Sfraga
Liz Decort
Debbie Arbolino



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 Planning Board

Date: March 10, 2022 Section: 77.08 Block: 5 Lot: 48.1

Applicant: Quinn

Address: 645 Main St, Sparkill, NY

RE: Application Made at: same

Referred For: **Chapter 43, Section 10.223 Paragraph G-1.**

Applications for a permit shall be made to the Inspector on forms provided by him and shall contain the following information:

(g) Applications for permit within designated critical environmental area.

[1] Applications for a permit for new construction, additions or exterior modifications within the designated critical environmental area of Upper Grandview and environs shall be accompanied by a plot plan which shows the existing contours (at two-foot intervals), all existing trees (as hereinafter specified), construction limit lines, all proposed construction and site alterations, drainage calculations and soils data as required by the Inspector. Said applications shall be referred by the Inspector to the Planning Board for site plan approval.

Comments: Conversion of previously approved easement area to outdoor dining area.

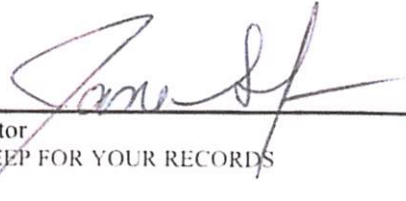
Dear Quinn:

Please be advised that the Building Permit Application, which you submitted on February 1, 2022, has been referred to the Orangetown Planning Board. I have enclosed a Xerox copy of your application, where you will find at the bottom the reason for referral. The Clerk to the Planning Board, Cheryl Coopersmith, will assist you in the preparation necessary to appear before the board. She can be reached at 845-359-8410 ext. 4330 or CCoopersmith@orangetown.com

Sincerely,


3/11/22

Richard Oliver
Deputy Building Inspector


Signature of Director
NOTE: PLEASE KEEP FOR YOUR RECORDS
8-12-20-CCC

3/11/22
Date
Liz Decort
Cheryl Coopersmith

CC:



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGEBURG, N.Y. 10962**

**Jane Slavin, RA
Director**

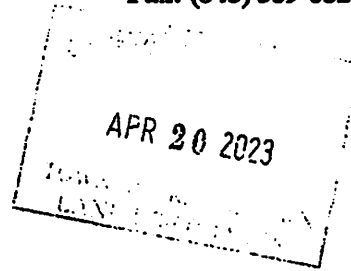
(845) 359-8410

Fax: (845) 359-8526

Date: April 19, 2023

To: Planning Board

**From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.**



**Subject: Lafamiglia Lanni Restaurant Outdoor Dining Plan PB #23-08
Prepreliminary/ Preliminary/ Final Outdoor Dining Plan
and SEQRA Review
645 Main Street, Sparkill
Section 77.08, Block 5, Lot 48.1, CS zoning district**

Submission Reviewed:

La Famiglia Lanni, Inc. proposed outdoor dining plan as prepared by George Hodosh, last revised 3/8/2023.

- 1) This parcel is part of a sub-division approval received on September 14, 2011, PB#11-41, Sparkill Subdivision Plan.**
- 2) Per Chapter 43, Table 3.11, CS district, Column 7, No. 1, "same as R-80"; R-80 Column 7, #6, "all restaurants ...shall be within completely enclosed buildings, unless by special permit of the ZBA." Applicant must obtain a special permit from the ZBA.**
- 3) The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and the construction plans are reviewed and approved by the inspector.**

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #665-22

**Town of Orangetown Planning Board Decision
April 26, 2023
Page 1 of 10**

**TO: Jonathan Hodosh, Hodosh Associates, 120 N. Main Street, New
City, New York 10956**
FROM: Orangetown Planning Board

RE: Lafamiglia Lanni Restaurant Outdoor Dining Site Plan: The application of Sean Quinn & Vittorio Lanni, applicant for Quinn Development, Inc., owner, for Prepreliminary/ Preliminary/ Final Outdoor Dining Site Plan Review at a site known as “Lafamiglia Lanni Restaurant Outdoor Dining Plan”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 645 Main Street, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.1 & 48.2 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **April 26, 2023** at which time the Board made the following determinations:

Jonathan Hodosh, Sean Quin, Donald Brenner, Vittorio Lanni and Kimberley Auth Lanni appeared and testified before the Board.

The Board received the following communications:

1. Project Review Committee Reports dated January 25, 2023 and April 12, 2023.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated January 26, 2023 and April 19, 2023.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated February 6, 2023 and April 24, 2023.
4. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated January 24, 2023, and April 11, 2023.
5. Site Plan prepared by Hodosh Associates, dated July 29, 2021.
6. Letter and Notice from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated January 30 & April 19, 2023 and from Jake Palant, dated January 12, 2023.
7. Letter from the Village of Piermont, signed by Daniel Spitzer, Chair Planning Board dated April 11, 2023.
8. Letter and Notice from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer dated January 11, 2023.
9. Notice from the Rockland County Department of Highways, signed by Dyan Rajasingham, Engineer II dated January 5, 2023.
10. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, dated January 20, 2023.

1272 MAY 25 9 26 AM EST

TOWN OF ORANGETOWN

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #665-22

**Town of Orangetown Planning Board Decision
April 26, 2023
Page 2 of 10**

11. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Patricia Castelli, Acting Chairman, dated January 4, 2023.
12. Short Environmental Assessment Form dated December 29, 2022, revised March 16, 2023, signed by Kimberly Auth.
13. Outdoor Dining Site Plan prepared by George Hodosh, dated July 29, 2021, last revised March 8, 2023:
 - Cover Sheet
 - A3a: Seating Plan
 - SP: Enlarged Site Plan Detail
14. Copy of Zoning Board of Appeals Decision #17-56, dated July 19, 2017.
15. Submitted at meeting by applicant, photographs of the existing site.
16. Emails from the following area residents:
 - Marilyn Heitman, dated January 23 and April 14, 2023.
 - Andrea Schettino, dated April 24, 2023.
 - Devra Kinery, dated April 24, 2023.
 - Teresa King-Sullivan, dated April 24, 2023.
 - Zacha Tuttle, dated April 24, 2023.
 - Christie Trento, dated April 24, 2023.
 - Christine Mikler, dated April 24, 2023.
 - Martha Schindele, dated April 22, 2023.
 - Virginia MacCallum, dated April 23, 2023.

The Board reviewed the plans. The hearing was then opened to the Public.

A motion was made to open the Public Hearing portion of the meeting by Michael Mandel and second by Lisa DeFeciani and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, absent; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

Public Comment:

Alan Mehlbach, 10 Union Street, Sparkill; raised concerns regarding noise, food waste, rodents, all impacting his quality of life. He noted that the drawing does not match the existing site and that parking is already filled up.

Virginia MacCallum, 10 Union Street, Sparkill; raised concerns regarding the granting of the variance. A preschool and a restaurant are very different uses. The quality of life for the neighbors was a concern.

Michelle Prober, 10 Haring Avenue, Sparkill; supports the patio and enjoys Sparkill.

Paula Heitman, 7 Union Street, Sparkill; noted that the houses and parking lot are close to one another. She raised concerns of increased noise and parking.

Marilyn Heitman, 7 Union Street, Sparkill; raised concerns since the outdoor dining area would be next to her apartment.

APR 26 2023 10:00 AM
TOWN OF ORANGETOWN

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #665-22

**Town of Orangetown Planning Board Decision
April 26, 2023
Page 3 of 10**

James Cleary, 20 Van Terrace, Sparkill; raised concerns regarding the traffic circulation and pedestrian traffic on the streets.
Jeff Goodman, 12 Edward Street, Sparkill; does not have a problem with the outdoor dining, other restaurants in the area are right on the sidewalk.
Andrea Schettino, 9 Union Street, Sparkill; noted that the difference is that the proposed outdoor dining area borders on a residential area.
Chris O'Rourke, 4 Union Street, Sparkill; held that the applicant is terrific.
Nolan Fryer, 3 Union Street, Sparkill; is in full support of the outdoor dining area.

There being no one to be heard from the Public, a motion was made by Michael Mandel and seconded by Kevin Farry and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, absent; Michael Mandel, Vice-Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

SEQRA

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA.

On motion by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, absent; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger (alternate member), absent, and Andrew Andrews, aye; the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and the applicant's consultant and having heard from the following

APPROVED AND FORWARDED:
37 11 11 11 11 11
2023 MAY 25 A.M. 23
TOWN OF ORANGETOWN

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #665-22

**Town of Orangetown Planning Board Decision
April 26, 2023
Page 4 of 10**

offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District #1, and having reviewed the drawings presented by the applicant's professional consultants; a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Kevin Farry and seconded by Michael Mandel and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, absent; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member) absent; and Andrew Andrews, aye, the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Site Plan Approval Subject to the Following Conditions:**

TOWN OF ORANGETOWN
2023 MAY 25 A 11:28
TOWN OF ORANGETOWN

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
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**Town of Orangetown Planning Board Decision
April 26, 2023
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1. The following note shall be placed on the Site Plan: "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, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: 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 Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The Site Plan shall be updated to include the planters around the seating.
5. Signage shall be erected for the driveway "One way and do not enter."
6. The applicant shall reappear at the Town of Orangetown Zoning Board of Appeals to renew the Zoning Variance #17-56, side and rear yard variance and Special Permit.
7. The hours of operation shall be 5:00 p.m. to 9:30 P.M., 7 days a week, and if possible, be open for lunch starting in June. The outdoor dining area would be seasonal use only - weather permitting, no bar and no music.
8. This parcel is part of a sub-division approval received on September 14, 2011, PB#11-41, Sparkill Subdivision Plan.

TOWN OF ORANGETOWN
2023 MAY 25 A.M. 10:28
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**Town of Orangetown Planning Board Decision
April 26, 2023
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9. Per Chapter 43, Table 3.11, CS district, Column 7, No. 1, "same as R-80"; R-80 Column 7, #6, "all restaurants ...shall be within completely enclosed buildings, unless by special permit of the ZBA." Applicant must obtain a special permit from the ZBA.

10. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and the construction plans are reviewed and approved by the inspector.

11. The Department of Environmental Management and Engineering has no further comment on this project at this time.

12. The Town of Orangetown Bureau of Fire Bureau reviewed the submitted information and had no comments at this time

13. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- **Of the Orangetown Code, chapter 42, Section 3.11 (attachment 5) Column 7, item No.1 indicates that the same additional use regulations for the R-80 zoning district shall apply to the CS zoning district. Per Section 3.11 (attachment 1), Column 7 No. 6, all restaurants or foo serving facilities in the R-80 district shall be within completely enclosed buildings, unless by special permit of the Zoning Board of Appeals. A special permit application must be submitted to the Town and forwarded to our department for review. The proposed outdoor dining must comply with the special findings and additional requirements outlined in Section 4.31 of the Orangetown Zoning code.**
- **A review shall be completed by the County of Rockland Department of Highways and any required permits obtained from them.**
- **A review shall be completed by the NYS Department of Transportation and any required permits obtained.**
- **The Village of Piermont is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 275 feet northeast of the site. As required under Section 239nn of the State General Municipal Law, the Village of Piermont must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Orangetown.**

**TOWN OF ORANGETOWN
2023 MAY 25 A 11:28
TOWN CLERKS OFFICE**

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #665-22

**Town of Orangetown Planning Board Decision
April 26, 2023
Page 7 of 10**

Continuation of Condition #13...

- A review must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- A review must be completed by the County of Rockland Office of Fire and Emergency Services, Town of Orangetown Fire Inspector, or the Sparkill Fire District to ensure that the site is designed in a safe manner and there is sufficient maneuverability on the site for emergency vehicles.
- For any proposed outdoor lighting, a lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- All proposed signage shall be indicated on the site plan and must conform to the sign ordinance in Chapter 31C of the Orangetown Code.
- The Designated Street Line (DSL) must be indicated on the site plan. Any lot area deductions must be indicated. Any additional variances required due to a change in measurement must be submitted to this department for review, as required by NYS General Municipal Law, Section 239-m(3)(a)(v).
- In recent years there has been an increase in requests for outdoor dining areas at local restaurants. The Town shall consider adopting specific special permit use standards for outdoor dining to address potential concerns relating to noise, hours of operation, lighting, etc. It is also recommended that the increase in outdoor dining be addressed in the Town's update of their Comprehensive Plan.
- All county interests within 500 feet of the site, and all corresponding Referral Agencies, must be indicated on Page 6 of the Orangetown application form.
- Map notes must be provided that include district details and site-specific information such as zoning designation, owner information, and existing and proposed use.
- The maximum number of stories permitted for a building must be indicated on the Bulk Table.
- The Orangetown Application indicates the property receives water service from SUEZ. The application must be corrected to Veolia North America.
- The boundary between Tax Lot 77.08-4-48.3 and 77.08-5-48.2 must be clarified on the site plan drawing and should use a consistent line weight with the other lot lines depicted.

14. The Village of Piermont reviewed the submitted information and had no comment at this time.

TOWN OF ORANGETOWN
2023 MAY 26 A 11:28
TOWN CLERK'S OFFICE

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #665-22

**Town of Orangetown Planning Board Decision
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15. The Rockland County Department of Health reviewed the information and offered the following comment;

- **The applicant is to contact Patrice Robertson of the Rockland County Department of Health to discuss the total amount of seats proposed. It must be verified that the number of bathrooms provided is adequate for the total number of seats proposed for the Food Service Establishment permit. She can be reached at (845) 364-2601.**

16. Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

17. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- **Town of Orangetown Zoning Board of Appeals**
- **Rockland County Health Department**
- **Rockland County Sewer District No. 1**
- **Rockland County Department of Planning**

18. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decision prior to signing the final plans.

19. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

20. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

21. TREE PROTECTION: The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development 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 reserve and protect existing trees to remain are as follows:

- a. No construction equipment shall be parked under the tree canopy.**
- b. There will be no excavation or stockpiling of earth underneath the trees.**
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.**
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:**

- **One (1) foot radius from trunk per inch DBH**

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TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
April 26, 2023
Page 9 of 10**

Continuation of Condition #21...

- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.

- Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

The builder 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 (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

22. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

23. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

24. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

TOWN OF ORANGETOWN
2023 MAY 26 A 11:28
TOWN ENGINEER

**PB #23-08: Lafamiglia Lanni Restaurant
Outdoor Dining Site Plan – Sparkill Overlay Zone
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Neg. Dec.**

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**Town of Orangetown Planning Board Decision
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25. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

26. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

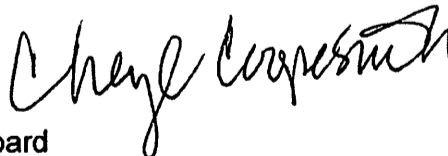
27. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

28. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Michael Mandel and seconded Kevin Farry and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, absent; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

Dated: April 26, 2023
Cheryl Coopersmith
Town of Orangetown Planning Board
Attachment



SEARCHED
SERIALIZED
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MAY 1 2023
TOWN OF ORANGETOWN

**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

**PB #23-08: Lafamiglia Lanni Restaurant Outdoor Dining Site Plan
Sparkill Overlay Zone
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
April 26, 2023**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: Lafamiglia Lanni Restaurant Outdoor Dining Site Plan - Sparkill Overlay Zone

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

**DESCRIPTION OF ACTION: Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

LOCATION: The site is located at 645 Main Street, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.1 & 48.2 in the CS zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road, Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

DECISION

TOTAL SIDE YARD AND REAR YARD VARIANCES APPROVED FOR FIVE YEARS FOR THE TEMPORARY PLAY AREA

To: Quinn Development (Sparkill Temporary Play Area) ZBA #17-56
127 River Road Date: July 19, 2017
Grandview, New York Permit # 45917

(Prior Decision printed for computer)

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#17-56: Application of Quinn Development (Sparkill Temporary Play Area) for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-80 District, Section 3.11, Group A, Column 4 #9 refers to CS District Section 3.12, Group FF, Section 3.12, and Column 10 (Total Side Yard: 25' required, 0' proposed) and 11 (Rear Yard: 25' required, 0' proposed) for a temporary play area at a private nursery school. The premises are located at 1-3 Union Street, Sparkill, New York and are identified on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.2; in the CS zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, July 19, 2017 at which time the Board made the determination hereinafter set forth.

Donald Brenner, Attorney, and Liana Sargsyan Quinn appeared and testified.

The following documents were presented:

1. Architectural plans dated August 16, 2016 by Jonathan Hodash, Registered Architect with the latest revision date of May 26, 2016, based on a survey dated November 6, 2012 by William Youngblood, LS..
2. Planning Board decision dated April 26, 2017.
3. A letter dated July 19, 2017 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
4. A letter dated June 26, 2017 from the Rockland County Health Department signed by Scott McKane, P.E., Senior Public Health Engineer.

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

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that since the Planning Board noticed its intent to declare itself Lead Agency and distributed that notice of intention to all Involved Agencies, including the ZBA who consented or did not object to the Planning Board acting as Lead Agency for these applications, pursuant to coordinated review under the State Environmental Quality Review Act Regulations § 617.6 (b)(3); and since the Planning conducted SEQRA reviews and, on April 26, 2017 rendered environmental determinations of no significant adverse environmental impacts to result from the proposed land use actions (i.e. a "Negative Declarations" of "Neg Dec."), the ZBA is bound by the Planning Board's Neg Dec and the ZBA cannot require further SEQRA review pursuant to SEQRA Regulations § 617.6 (b)(3). The motion was seconded by Mr. Quinn and carried as follows: Ms. Salomon, aye; Mr. Quinn, aye; Mr. Feroldi, aye; Mr. Sullivan, aye; and Mr. Bosco, aye. Ms. Castelli was absent.

Donald Brenner testified that the applicant has stated to the Planning Board that when the third building is built they will close the playground; that they will have sufficient parking for two buildings with the play area because they are providing nine spaces and when they build the third building and dismantle the play area they will provide 13 spaces, and required; and they would appreciate a five year approval and they would come back to renew the "temporary play area" if the third building is not built.

Public Comment:

No public comment.

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

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

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Salomon 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 total side yard and rear yard variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The total number of required off-street parking spaces for the existing two buildings is nine spaces. The proposed play area will cease to exist when the third building is constructed and the applicant will provide 13 off-street parking spaces as required by code.
2. The temporary play area is granted for five years from the date that this Decision is stamped and filed. The applicant must apply for renewal of the temporary play area prior to expiration of the five year approval period.
3. The requested total side yard and rear yard variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The total number of required parking off-street spaces for the existing two buildings is nine spaces. The proposed play yard will cease to exist when the third building is constructed and the applicant will provide 13 off-street parking spaces as required by code.
4. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.
5. The requested total side yard and rear yard variances, although somewhat substantial, afford benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. The total number of required off-street parking spaces for the existing two buildings is nine spaces. The proposed play area will cease to exist when the third building is constructed and the applicant will provide 13 off-street parking spaces as required by code.
6. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the requested total side yard and rear yard variances are **APPROVED** for a five year period for the temporary play area, from the date this Decision is stamped and filed; 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.

The foregoing resolution to approve the application for the requested total side yard and rear yard variances for the temporary play area are granted for a five year period from the date this Decision is stamped and filed, was presented and moved by Mr. Quinn, seconded by Mr. Bosco and carried as follows: Mr. Bosco, aye; Mr. Feroldi, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Salomon, 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 19, 2017

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.A.O.

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



LA FAMIGLIA LANNI INC.

645 MAIN STREET, SPARKILL, NEW YORK 10976

TAX MAP 1D: 77.08-5-48.1 (LOT 1) & 77.08-5-48.2 (LOT 3)

GEORGE HODOSH ASSOCIATES - ARCHITECTS, P.C.

120 NORTH MAIN STREET, SUITE 501, NEW CITY, NEW YORK 10956
TEL: 845.638.9336 FAX: 845.638.9380

29 JULY 2021
LAST REVISED: 31 MAY 2023

DRAWING LIST

- COVER SHEET
- D1 - FIRST FLOOR DEMOLITION PLAN
- D2 - SECOND FLOOR DEMOLITION PLAN
- A1 - FIRST FLOOR PLAN
- A2 - SECOND FLOOR PLAN
- A3 - CODE COMPLIANCE
- A3a - SEATING PLAN
- A4 - EQUIPMENT LAYOUT PLAN
- P1 - PLUMBING RISER DIAGRAM
- E1 - FIRST FLOOR ELECTRICAL PLAN
- GN - GENERAL NOTES
- SP - ENLARGED SITE PLAN DETAIL

LA FAMIGLIA LANNI INC., 21054

APPLICABLE CODES:

- 2020 BUILDING CODE OF NEW YORK STATE
- 2020 EXISTING BUILDING CODE OF NEW YORK STATE
- 2020 ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK STATE
- 2020 PLUMBING CODE OF NEW YORK STATE
- 2020 MECHANICAL CODE OF NEW YORK STATE
- 2017 NATIONAL ELECTRICAL CODE (NEC)

TOTAL REQUIRED PARKING SPACES FOR LOT 1:	RESTAURANT (INDOOR) 1,187.5 SQ.FT. (PER BUILDING INSPECTOR), 535 SQ.FT. (OUTDOOR SEATING AREA). TOTAL SQ.FT. 1,722.5 SQ.FT. /200 = 9 (2) 1 BEDROOM APARTMENTS @ 1.5 = 3 TOTAL REQUIRED SPACES = 12	SCOPE OF WORK: CONVERT EXISTING EDUCATION GROUP E OCCUPANCY TO ASSEMBLY GROUP A-2 (RESTAURANT)
TOTAL REQUIRED PARKING SPACES FOR LOT 3:	(2) 2 BEDROOM APARTMENTS @ 2 = 4 TOTAL REQUIRED SPACES = 4	

BULK TABLE FOR PROPOSED OUTDOOR DINING AREA **

TO BE INSTALLED ON LOT 3

ZONE: CS		
	REQUIRED	PROPOSED
FRONT YARD (FEET)	0-25	48.4
SIDE YARD (FEET)	0-15	0
TOTAL SIDE YARD (FEET)	15	0
REAR YARD (FEET)	25	0

* RENEWAL REQUIRED FOR VARIANCES GRANTED JULY 19, 2017 UNDER ZBA APPEAL #7-56

** SPECIAL PERMIT REQUIRED FOR OUTDOOR DINING AREA

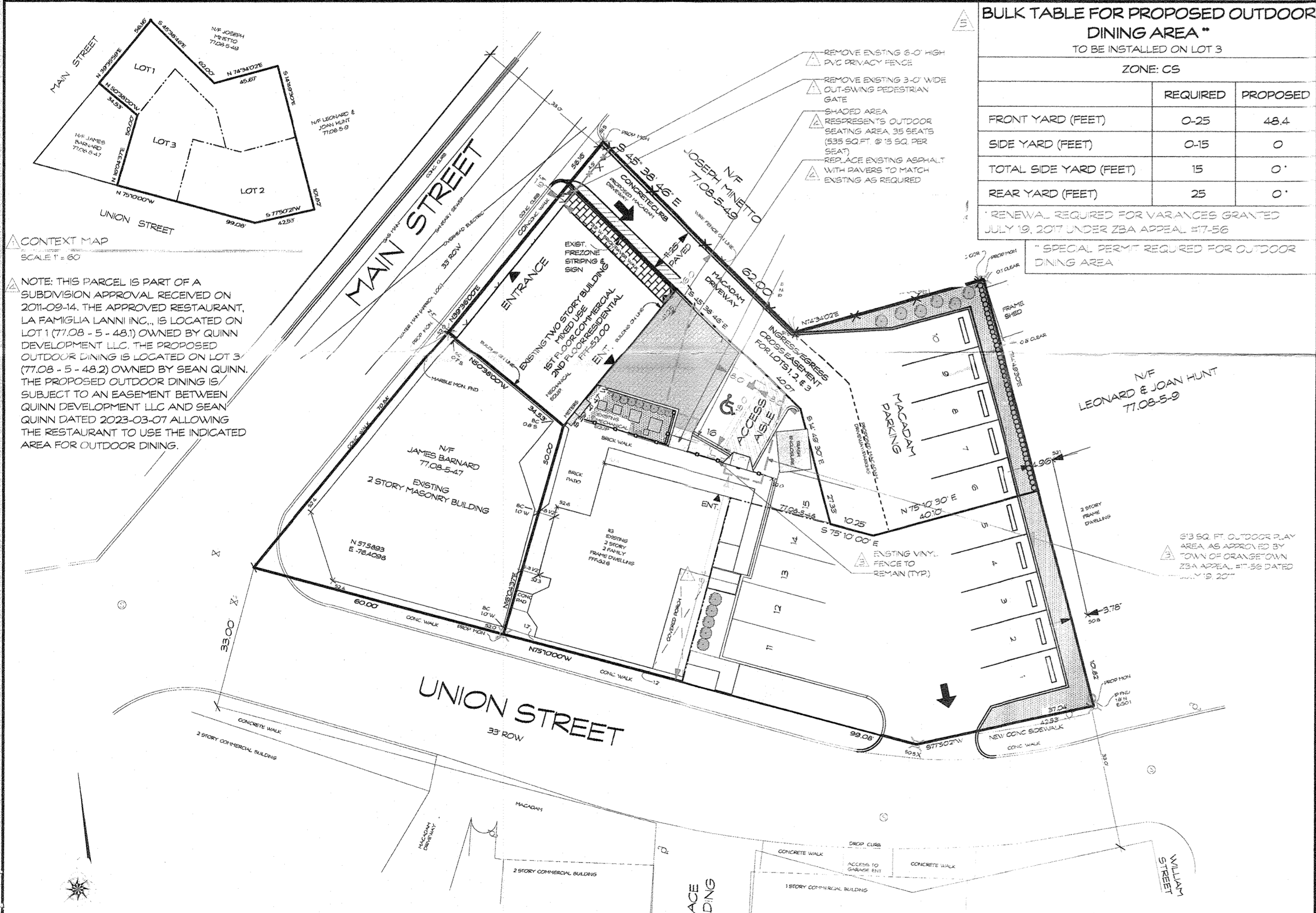
BULK TABLE

ZONE: CS USE GROUP: FF	MAXIMUM FLOOR AREA RATIO	MINIMUM LOT AREA	MINIMUM LOT WIDTH (FEET)	MINIMUM STREET FRONTAGE (FEET)	REAR FRONT YARD (FEET)	REAR SIDE YARD (FEET)	TOTAL SIDE YARD (FEET)	REAR YARD (FEET)	MAXIMUM HEIGHT (FEET)	PARKING
REQUIRED	1.00	2,500	25	25	0 OR 25	0/15	15	25	30'	**
PROVIDED LOT 1	0.53	4,709	56	40	#1.9	0	16	#0	30	REQ. 12 PROV. 5'
PROVIDED LOT 2	0.73	4,055	101	98.9	#1.8	0	49	#0	30	REQ. 0 PROV. 9'
PROVIDED LOT 3	0.97	3,611	37	42.9	#1.8	0	#0	25.9	30	REQ. 4 PROV. 2'

* - VARIANCE GRANTED - 2-16-11 - ZBA #11-15 LOT CURRENTLY DEVELOPED WITH ADDITIONAL PARKING SPACES IN PLACE OF ORIGINALLY PROPOSED BUILDING

** PARKING REQUIREMENTS PER ARTICLE XIV SPARKILL HAMLET CENTER OVERLAY DISTRICT, 14.5 F.(9)
1 1/2 SPACES PER ONE-BEDROOM DWELLING UNIT
2 SPACES PER TWO-BEDROOM DWELLING UNIT
ONE SPACE PER 300 SQUARE FEET OF RESTAURANT SPACE OR FOOD SERVICE ESTABLISHMENT SPACE

*** PARKING REQUIREMENTS FOR LOTS 1 & 3 PROVIDED VIA LEASE AGREEMENT BETWEEN SEAN QUINN AND QUINN DEVELOPMENT LLC DATED DECEMBER 10, 2021, AND AMENDED JANUARY 06, 2022.



CONTEXT MAP

SCALE: 1" = 60'

NOTE: THIS PARCEL IS PART OF A SUBDIVISION APPROVAL RECEIVED ON 2011-09-14. THE APPROVED RESTAURANT, LA FAMIGLIA LANNI INC., IS LOCATED ON LOT 1 (77.08 - 5 - 48.1) OWNED BY QUINN DEVELOPMENT LLC. THE PROPOSED OUTDOOR DINING IS LOCATED ON LOT 3 (77.08 - 5 - 48.2) OWNED BY SEAN QUINN. THE PROPOSED OUTDOOR DINING IS SUBJECT TO AN EASEMENT BETWEEN QUINN DEVELOPMENT LLC AND SEAN QUINN DATED 2023-03-07 ALLOWING THE RESTAURANT TO USE THE INDICATED AREA FOR OUTDOOR DINING.

SCALE: 1" = 20'

PLOT PLAN BASED UPON

SITE PLAN FOR QUINN LOCATED IN SPARKILL, TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK BY WILLIAM D. YOUNGBLOOD, LAND SURVEYING, P.C. SURVEYORS AND LAND PLANNERS 16 NORTH MAIN STREET, HARRIMAN, NY, 10926
WILLIAM D. YOUNGBLOOD, L.S. #50466
DATED OCT. 5, 2010, WITH LATEST REVISION NOV. 6, 2012
AND ARCHITECTS FIELD MEASUREMENTS AND OBSERVATIONS

PROPOSED HOURS OF OPERATION FOR OUTDOOR SEATING:
12PM - 10PM 7 DAYS A WEEK

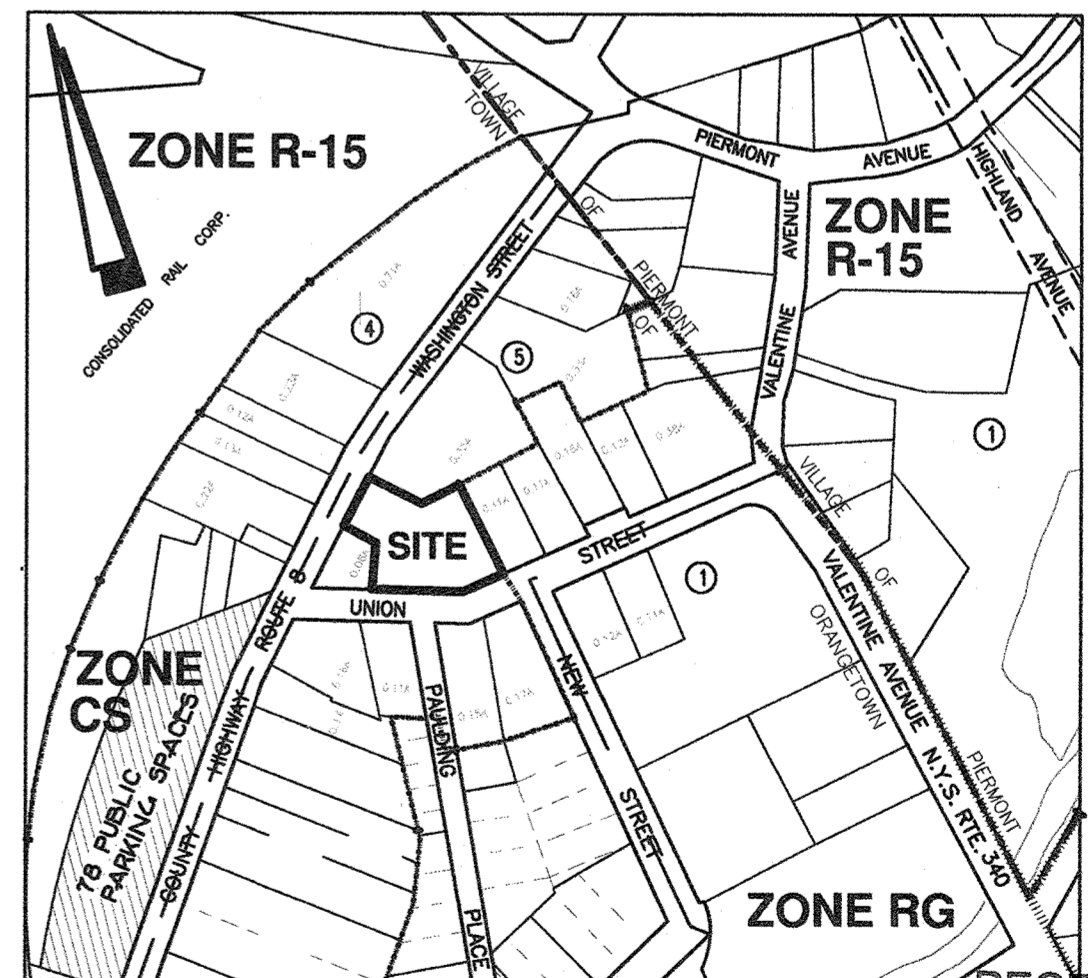
PROPOSED SEATING:

40 INTERIOR SEATS PER 2020 BUILDING CODE OF NEW YORK STATE

35 EXTERIOR SEATS PER ROCKLAND COUNTY BOARD OF HEALTH

75 TOTAL INTERIOR AND EXTERIOR SEATS

NOTE: AS A CONDITION OF THE OUTDOOR DINING APPROVAL THE PROPOSED OUTDOOR DINING OPERATION WILL CEASE IF ANY FUTURE CONSTRUCTION PER THE PREVIOUSLY APPROVED PLAN IS CONTEMPLATED.



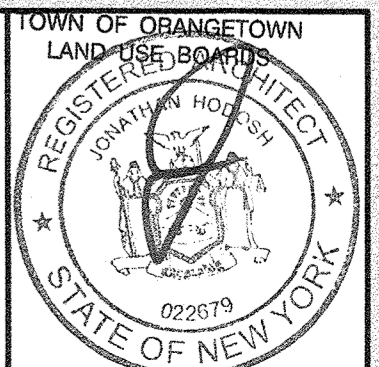
VICINITY MAP
SCALE: 1" = 300'

RECEIVED
MAR 06 2025

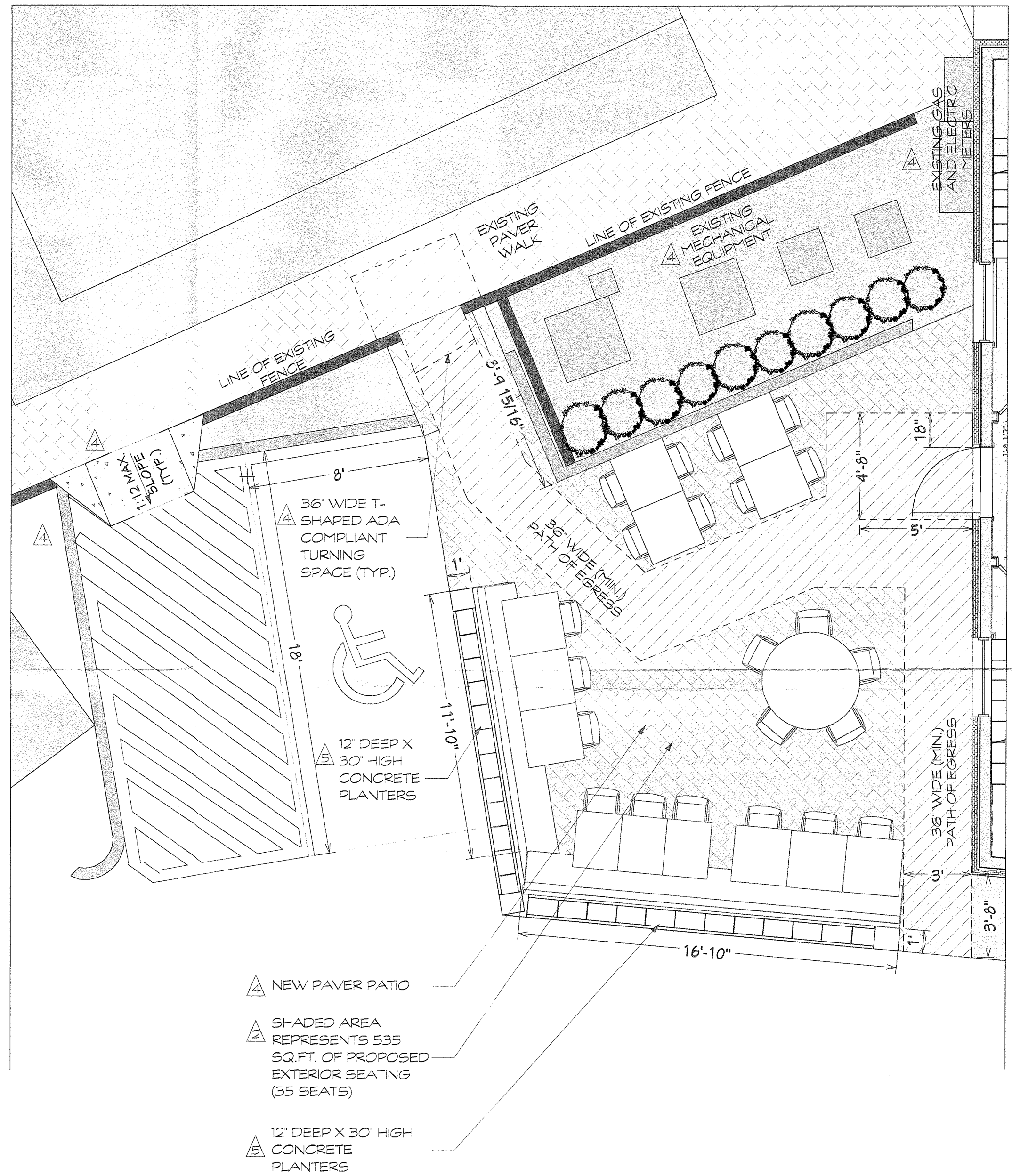
REVISIONS

DATE	DESCRIPTION	BY
2023-08-04	PERMIT SET 3 - REV. PER PLANNING BOARD MEETING	SAB
2022-12-09	PERMIT SET 3 - REV. PER DIRECTOR'S EMAIL	AML
2023-03-08	PERMIT SET 3 - REV. PER DIRECTOR'S SKETCH	SAB/AML
2023-05-31	PERMIT SET 4 - REV. FOR ZBA APPLICATION	SAB

THESE PLANS ARE NOT TO BE CONSIDERED VALID AND COMPLETE CONSTRUCTION DOCUMENTS UNLESS AND UNTIL THEY BEAR THE ARCHITECTURAL SEAL & SIGNATURE OF JONATHAN B. HODOSH.



FIRST FLOOR SEATING PLAN
SCALE: 1/4" = 1' - 0"



CONSTRUCTION / DEMOLITION LEGEND			
	EXISTING CONSTRUCTION TO BE REMOVED		EXISTING WINDOW TO BE REMOVED
	EXISTING CONSTRUCTION TO REMAIN		EXISTING WINDOW TO REMAIN
	PROPOSED NEW CONCRETE BLOCK WALL		PROPOSED WINDOW
	PROPOSED NEW POURED CONCRETE WALL		EXISTING DOOR TO BE REMOVED
	PROPOSED FRAMED CONSTRUCTION WITH SOUND ATTENUATING INSULATION		EXISTING DOOR TO REMAIN
	PROPOSED FRAMED CONSTRUCTION		PROPOSED DOOR

THESE PLANS ARE NOT TO BE CONSIDERED VALID AND COMPLETE CONSTRUCTION DOCUMENTS UNLESS AND UNTIL THEY BEAR THE ARCHITECTURAL SEAL & SIGNATURE OF JONATHAN B. HODOSH.

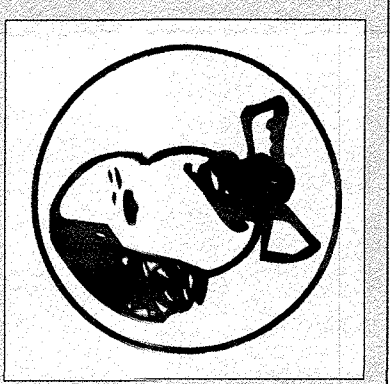
REVISIONS		
2021-12-23	PERMIT SET 2 - PARKING LEASE NOTE ADDED PER BUILDING INSPECTOR	SAB
2022-01-06	PLANNING BOARD SET	SAB
2022-02-22	PERMIT SET 2 - SEATING PLAN	SAB
2022-04-01	PERMIT SET 3	SAB
2022-04-19	PERMIT SET 3 - REV. PER PLAN REVIEW	SAB

2022-07-22	PERMIT SET 3 - REV. PER PRC REVIEW	SAB
2022-08-04	PERMIT SET 3 - REV. PER PLANNING BOARD MEETING	SAB
2022-12-09	PERMIT SET 3 - REV. PER DIRECTORS E-MAIL	AML
2023-03-03	PERMIT SET 3 - REV. PER DIRECTORS SKETCH	SAB
2023-04-26	AS-BUILTS	AML

RECEIVED
MAR 06 2025
TOWN OF ORANGETOWN
LAND USE BOARD
AGa

PROPOSED ADDITIONS/ ALTERATIONS:
LA FAMILIA LANNING.
645 MAIN STREET, SPARKILL, NEW YORK 10976
SHEET TITLE:
FIRST FLOOR SEATING PLAN

SCALE:	1/4" = 1'-0"
DATE:	2021-07-12
JOB #:	21024
DRAWN BY:	DNK_GND
CHECKED BY:	JBH



GEORGE HODOSH ASSOCIATES- ARCHITECTS, P.C.
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