

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: 3-9-20

2020 LAND USE BOARD APPLICATION

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#: _____
 ASSIGNED _____
 INSPECTOR: _____

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

Project Name: BETHANY MARIE THOMA CHURCH

Street Address: 90 OLD ORANGETOWN ROAD
ORANGETOWN, NY 10962

Tax Map Designation:
Section: 74.09 Block: 1 Lot(s): 6A
Section: _____ Block: _____ Lot(s): _____

Directional Location:
On the NORTH side of OLD ORANGETOWN ROAD, approximately 1300 feet EAST of the intersection of BLAISDELL RD, in the Town of ORANGETOWN in the hamlet/village of ORANGETOWN.

Acreage of Parcel <u>1.05 ACS</u>	Zoning District <u>R-80</u>
School District <u>SOUTH ORANGETOWN</u>	Postal District <u>ORANGETOWN</u>
Ambulance District <u>S. ORANGETOWN</u>	Fire District <u>ORANGETOWN</u>
Water District <u>BLAUVELT</u>	Sewer District <u>ORANGETOWN</u>

Project Description: (If additional space required, please attach a narrative summary.)
RENOVATION AND EXPANSION OF
EXISTING CHURCH

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
Date: 3/12/20 Applicant's Signature: _____ X

APPLICATION REVIEW FORM

Applicant: BETHANY MAE THOMA CHURCH Phone # 845-613-7728

Address: 90 OLD ORANGEBURG RD, ORANGEBURG, NY 10962
Street Name & Number (Post Office) City State Zip Code

Property Owner: BETHANY MAE THOMA CHURCH Phone # 845-613-7728

Address: 90 OLD ORANGEBURG RD, ORANGEBURG, NY 10962
Street Name & Number (Post Office) City State Zip Code

Engineer/Architect/Surveyor: JOHN ATZL
ATZL, NASHER & ZIGLER Phone # 845-634-4694

Address: 234 NORTH MAIN STREET, NEW CITY, NY 10956
Street Name & Number (Post Office) City State Zip Code

Attorney: FRANK PHILLIPS, ESQ.
PHILLIPS & MILLMAN LLP Phone # 845-947-1100

Address: 148 SOUTH LIBERTY DRIVE, STONY POINT, NY 10980
Street Name & Number (Post Office) City State Zip Code

Contact Person: JOHN ATZL Phone # 845-634-4694

Address: 234 NORTH MAIN STREET, NEW CITY, NY 10956
Street Name & Number (Post Office) City State Zip Code

GENERAL MUNICIPAL LAW REVIEW:

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- State or County Road
- Long Path
- Municipal Boundary
- State or County Park
- County Stream
- County Facility **STATE FACILITY**

List name(s) of facility checked above:

NEW ORANGEBURG RD,
ROCKLAND PSYCHIATRIC CENTER, NYS ARMORY

Referral Agencies:

- RC Highway Department
- RC Drainage Agency
- NYS Dept. of Transportation
- NYS Thruway Authority
- Adjacent Municipality
- Other NYS PERMITS AUTHORITY
- RC Division of Environmental Resources
- RC Dept. of Health
- NYS Dept. of Environmental Conservation
- Palsades Interstate Park Commission

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? N/A
- 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 RESIDENCE 3,070 SQ.FT. CHURCH 3,950 SQ.FT.
- 2) Total square footage 2835 SQ.FT. ADDITION, 9,855 SQ.FT. TOTAL
- 3) Number of dwelling units 1 - PASTOR'S RESIDENCE

If special permit, list special permit use and what the property will be used for.

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area NONE

Are there streams on the site? If yes, please provide the names. YES, UNNAMED WATERCOURSE

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

YES, ACOE

Project History:

Has this project ever been reviewed before? NO

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

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

NONE

DECISION

FLOOR AREA RATIO, LOT AREA, FRONT YARD, SIDE YARD, TOTAL SIDE YARD AND BUILDING HEIGHT VARIANCES APPROVED

To: John Atzl (Bethany Mar Thoma Church)
Atzl, Nasher & Zigler PC
234 North Main Street
New City, New York 10956

ZBA #18-79
Date: November 7, 2018
Permit # 47839

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#18-79: Application of Bethany Mar Thoma Church for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, Chapter 43, Section 3.12, R-80 District, Group B, Columns 4 (Floor Area Ratio: 10 permitted, .22 proposed), 5 (Lot Area: None required, 1.036 acres provided), 8 (Front Yard: 50' required, 12' proposed) 9 (Side Yard: 30' required, 4' proposed for church and 3.8' for pastors residence), 10 (Total Side Yard: 100' required, 7.8' proposed) and 12 (Building Height: 12' permitted, 23' proposed) for an addition to an existing church. The Church is located at 90 Old Orangeburg Road, Orangeburg, New York and is identified on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64; in the R-80 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, November 7, 2018 at which time the Board made the determination hereinafter set forth.

John Atzl, Land Surveyor, and Frank Phillips, Attorney, appeared and testified.

The following documents were presented:

1. Site Development Plan for "Bethany Mar Thoma Church dated June 16, 2018 with the latest revision date of 9/14/2018 signed and sealed by John R. Atzl, PLS, and Ryan A. Nasher, P.E. (4 pages).
2. Architectural plans dated July 18, 2017 with the latest revision dated of August 10, 2017 labeled "Proposed Addition/ Alteration for Bethany Mar Thoma Church" Issue for Review Only- Not for Construction by John Perkins, Architect, not signed or sealed.
3. A cover letter dated June 25, 2018 from Atzl, Nasher & Zigler, P.C.
4. A letter dated August 21, 2018 from the New York State Department of Environmental Conservation signed by Victoria Lawrence, Division of Environmental Permits Region 3.
5. A letter dated September 17, 2018 from New York State Parks, Recreation and Historic Preservation signed by Michael F. Lynch, P.E., AIA, Director, Division for Historic Preservation.

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

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SEQRA reviews and, on September 12, 2018 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 Ms. Castelli and carried as follows: Ms. Salomon, aye; Mr. Sullivan, aye; Mr. Quinn, aye; Mr. Feroldi, aye; and Ms. Castelli, aye. Mr. Bosco was absent.

Frank Phillips, Attorney, testified that the project received preliminary approval and a neg dec on September 12, 2018; that they are proposing to renovate and expand the church, which used to be a Mexican restaurant; that they are not changing the existing Pastor's residence; that the property is surrounded by the State Armory on the east, Rockland State Hospital property on the north, and St. Joseph's home on the west; that the proposed addition to the church will not cause an undesirable change in the character of the neighborhood; that it will not have adverse physical or environmental effect; that the benefit cannot be achieved any other way because of the location of the building.

John Atzl testified that most of the requested variances are for pre-existing conditions; that the existing side yard on the west side of the building is 4.8' and the addition will improve the condition to 4'; that the 3.8' on the east side of the pastor's residence will remain; that no work is being done on the residence; that the total side yard will be 7.8' for both structures and the church height will increase because the congregation would like the building to look like a church; that they are decreasing the amount of impervious surface from 32,400 sq. ft. to 25,400 sq. ft. because they are removing some of the parking lot and adding planted areas; and that the site will be improved aesthetically when the work is complete.

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:

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1. The requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The majority of the requested variances are for existing conditions; the floor area ratio request is not substantial for a church and the requested height of 23' for a church is reasonable for the religious use. The property is surrounded by the State Armory, Rockland State Hospital and St. Josephs.
2. The requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The majority of the requested variances are for existing conditions; the floor area ratio request is not substantial for a church and the requested height of 23' for a church is reasonable for the religious use. The property is surrounded by the State Armory, Rockland State Hospital and St. Josephs.
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, lot area, front yard, side yard, total side yard and building height 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 majority of the requested variances are for existing conditions; the floor area ratio request is not substantial for a church and the requested height of 23' for a church is reasonable for the religious use. The property is surrounded by the State Armory, Rockland State Hospital and St. Josephs.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.

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

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(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, lot area, front yard, side yard, total side yard and building height variances are APPROVED; was presented and moved by Mr. Sullivan, seconded by Ms. Salomon and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Salomon, aye. Ms. Castelli and Mr. Bosco were absent for this hearing.

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

DATED: November 7, 2018

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-G.M.

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

NOV 10 2018
TOWN OF ORANGETOWN
ZONING CONTROL

DECISION

§ 3.11 COLUMN 5 PARAGRAPH 12 SIGN VARIANCES APPROVED

To: John Atzl (Bethany Mar)
234 North Main Street
New City, New York 10956

ZBA #19-41
Date: May 1, 2019
Permit #48532

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA # 19-41: Application of Bethany Church for a variance from Zoning Code (Chapter 43) of the Town of Orangetown Code, R-80 District, Section 3.11, Column 5 Paragraph 12 (one sign not over 20 sq. ft. must be 25' from any lot line: 32 sq. ft. sign proposed, 10' from the front yard and 5' from the side yard and 2 sq. ft. of non-illuminated directional sign permitted: 6.25 sq. ft. per sign proposed: 12.4 sq. ft. proposed) for signs at the Church. The Church is located at 90 Old Orangeburg Road, Orangeburg, New York and are identified on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64; in the R-80 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, May 1, 2019 at which time the Board made the determination hereinafter set forth.

John Atzl, Land Surveyor and Frank Phillips, Attorney, appeared and testified.

The following documents were presented:

1. Site Development Plan dated 06/16/2018 with the latest revision date of 12/7/2018 signed and sealed by John R. Atzl, Land Surveyor and Ryan A. Nasher, P.E. (5 pages)
2. A drawing of the proposed monument sign by Foley Sign Company.
3. A letter dated April 17, 2019 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
4. A sign off sheet marked no comments from Dyan Rajasingham, P.E. Rockland County Highway Department.

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

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that 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 September 12, 2018 (set forth in PB#18-31 for Bethany Mar Thomas Church Plan site plan) 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 Ms. Castelli and carried as follows: Mr. Quinn, aye; Mr. Bosco, aye; Ms. Castelli, aye; and Mr. Sullivan, aye. Mr. Feroldi and Ms. Salomon were absent.

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John Atzl testified that the monument sign for the church is out front on the east side of the revised entrance road; that they donated a strip of the land to the state for road widening and it is set 5' from the east property line which belongs to the New York Armory; that the church is located in a residential zone but it is not a typical residential zone: that Rockland State entrance is right down the street with an oversized sign and the Nathan Kline Institute is located close by with a 40 sq. ft. sign: and the other two signs are directional signs .

Frank Phillips stated that the proposed signage would not create an undesirable change in the neighborhood character or to nearby properties, since other properties in the immediate area have larger signs: that the request is not substantial; that the signs would not have an adverse physical or environmental effect on the neighborhood; that two of the proposed signs are direction traffic control signs; and the sign is aesthetically pleasing.

Public Comment:

No public comment

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

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

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

FINDINGS OF FACT AND CONCLUSIONS:

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

1. The requested sign size and location variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Although the zone is a residential zone, it is not a typical residential neighborhood. Rockland Hospital Guild is within a block of the church and so is the Nathan Kline Institute; both of which have larger signs than the proposed signs for the Church, which is directly abutting the New York State Armory property. Two of the signs proposed for the application are direction traffic safety signs.
2. The Board overrode the disapproval from the Rockland County Planning letter dated April 17, 2019 signed by Douglas J. Schuetz, Acting Commission of Planning, because of the location of the proposed church and its surrounding neighborhood. Although the Church is located in a residential zone; it is surrounded by Rockland Hospital Guild, Nathan Kline Institute and the New York State Armory. Joseph's Home Inc. abuts the Church to the west. It is not a typical residential zone.

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3. The requested sign size and location variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Although the zone is a residential zone, it is not a typical residential neighborhood. Rockland Hospital Guild is within a block of the church and so is the Nathan Kline Institute; both of which have larger signs than the proposed signs for the Church, which is directly abutting the New York State Armory property. Two of the signs proposed for the application are direction traffic safety signs.
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 sign size and location 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. Although the zone is a residential zone, it is not a typical residential neighborhood. Rockland Hospital Guild is within a block of the church and so is the Nathan Kline Institute; both of which have larger signs than the proposed signs for the Church, which is directly abutting the New York State Armory property. Two of the signs proposed for the application are direction traffic safety signs.
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 sign size and location variances are APPROVED; and the Rockland County Planning disapproval letter dated April 17, 2019 was overridden unanimously for the following reasons: (1) the location of the proposed church and its surrounding neighborhood: the Church is located in a residential zone, however it is surrounded by Rockland Hospital Guild, Nathan Kline Institute and the New York State Armory; (2) Joseph's Home Inc. abuts the Church to the west; New York State Armory abuts the property to the east: It is not a typical residential zone; 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.

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(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 sign size and location variances are APPROVED; was presented and moved by Mr. Quinn, seconded by Ms. Castelli and carried as follows: Mr. Bosco, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Castelli, aye. Mr. Feroldi and Ms. Salomon were 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: May 1, 2019

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-G.M.

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

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ATZL, NASHER & ZIGLER P.C.

ENGINEERS - SURVEYORS - PLANNERS

Web: www.anzny.com

March 9, 2020

Bethany Mar Thoma Church

Narrative Summary

Bethany Mar Thoma Church purchased this property in 2007. Presently is consists of a Church Building and Pastor's residence with parking. The existing parking encroaches on the lands of the New York State Armory.

The church wishes to renovate and expand the existing building. The addition will consist of approximately 2,800 square feet. The majority of the proposed addition will extend to the east and north sides of the building. The Pastor's residence will remain.

The site plan submitted shows the proposed addition along with a new parking plan that will locate the required parking within the property. This will eliminate the present parking encroachment on the New York State Armory property.

There is a multipurpose court on the north side of Pastor's residence that will be removed and utilized as lawn area. With the removal of the multipurpose court and additional pavement area along the east property line, impervious coverage is being reduced.

Bulk variances required from the Zoning Board of Appeals are noted on the plans. These variances were required due to the location of the current building and the configuration of the parcel. The variances were granted on November 7, 2018.

We received ACABOR approval on March 7, 2019.

On May 1, 2019, the Zoning Board of Appeals granted additional variances for the proposed sign. These variances are noted on the plans.

The plans have been revised per comments received at Preliminary Approval and ACABOR Approval. The only outstanding approval is Final Site Plan Approval.

The approval for the variances granted by the Zoning Board of Appeals in November 2018 have expired. The approval for the variances granted in May 2019 will soon expire.

We are respectfully requesting an extension of time to implement the previously approved variances.

We will then proceed to the Planning Board for Final Approval.

EXISTING COVERAGE TABLE:

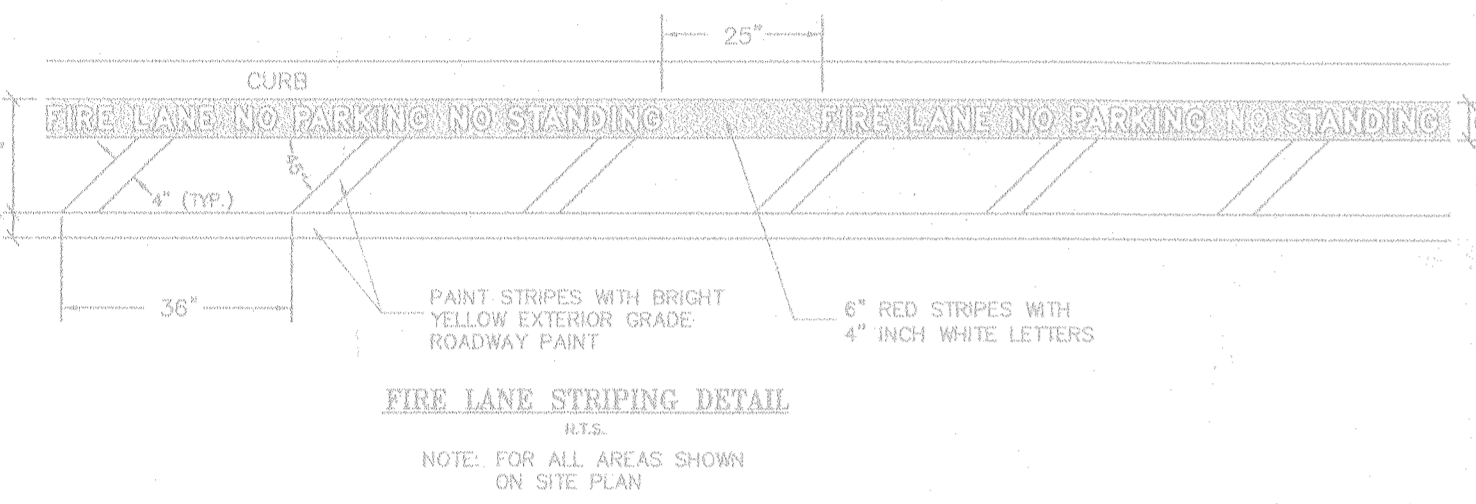
BUILDING COVERAGE:	6,820 SQ. FT.
CONCRETE COVERAGE:	875 SQ. FT.
PAVEMENT COVERAGE:	24,700 SQ. FT.
TOTAL COVERAGE:	32,395 SQ. FT. OR 0.743 ACS.

PROPOSED COVERAGE TABLE:

BUILDING COVERAGE:	9,460 SQ. FT.
CONCRETE COVERAGE:	820 SQ. FT.
PAVEMENT COVERAGE:	15,100 SQ. FT.
TOTAL COVERAGE:	25,400 SQ. FT. OR 0.583 ACS.

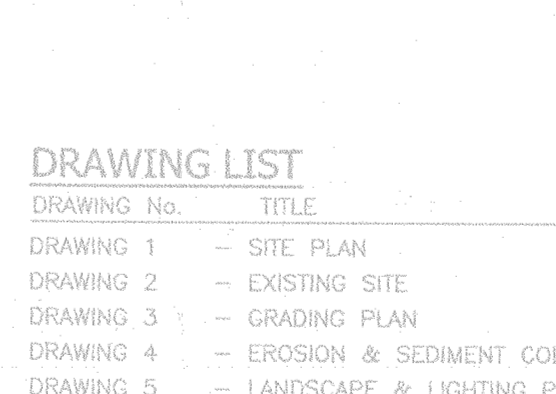
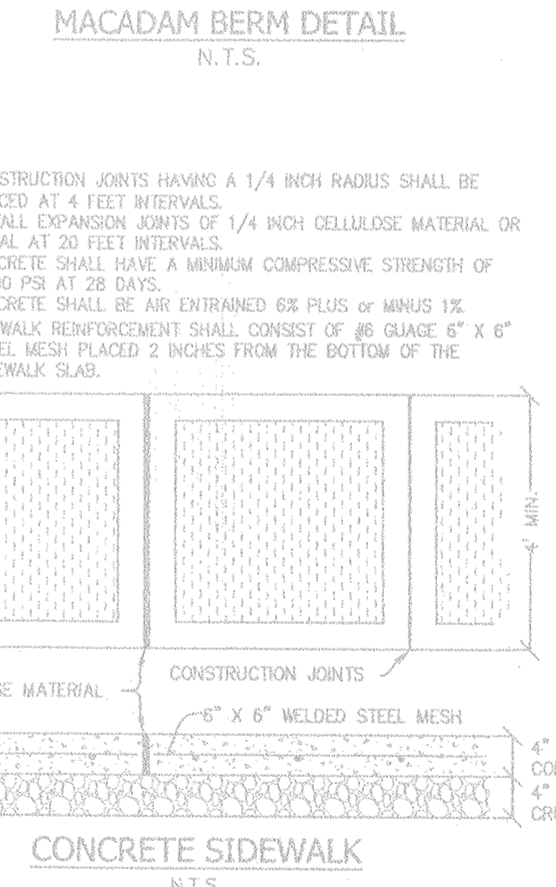
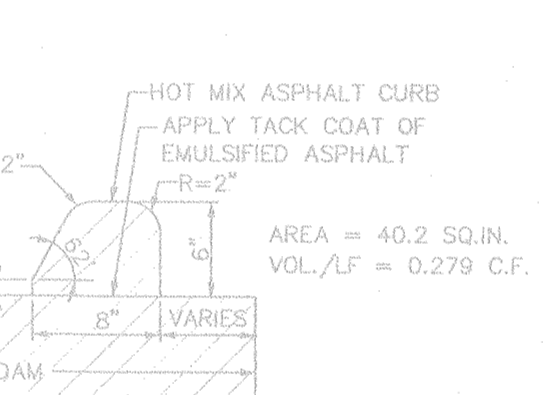
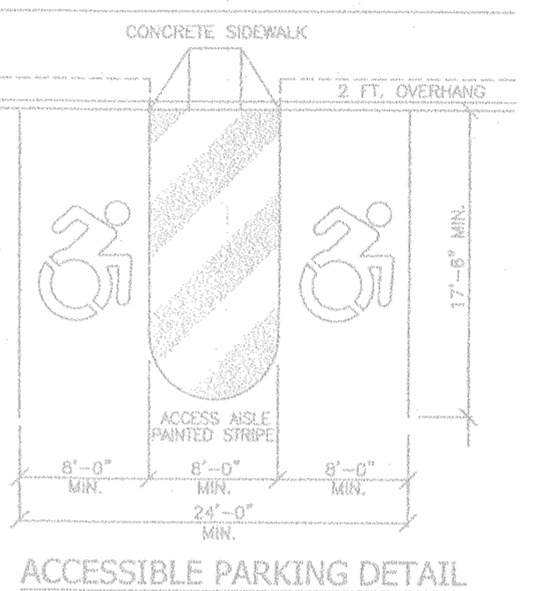
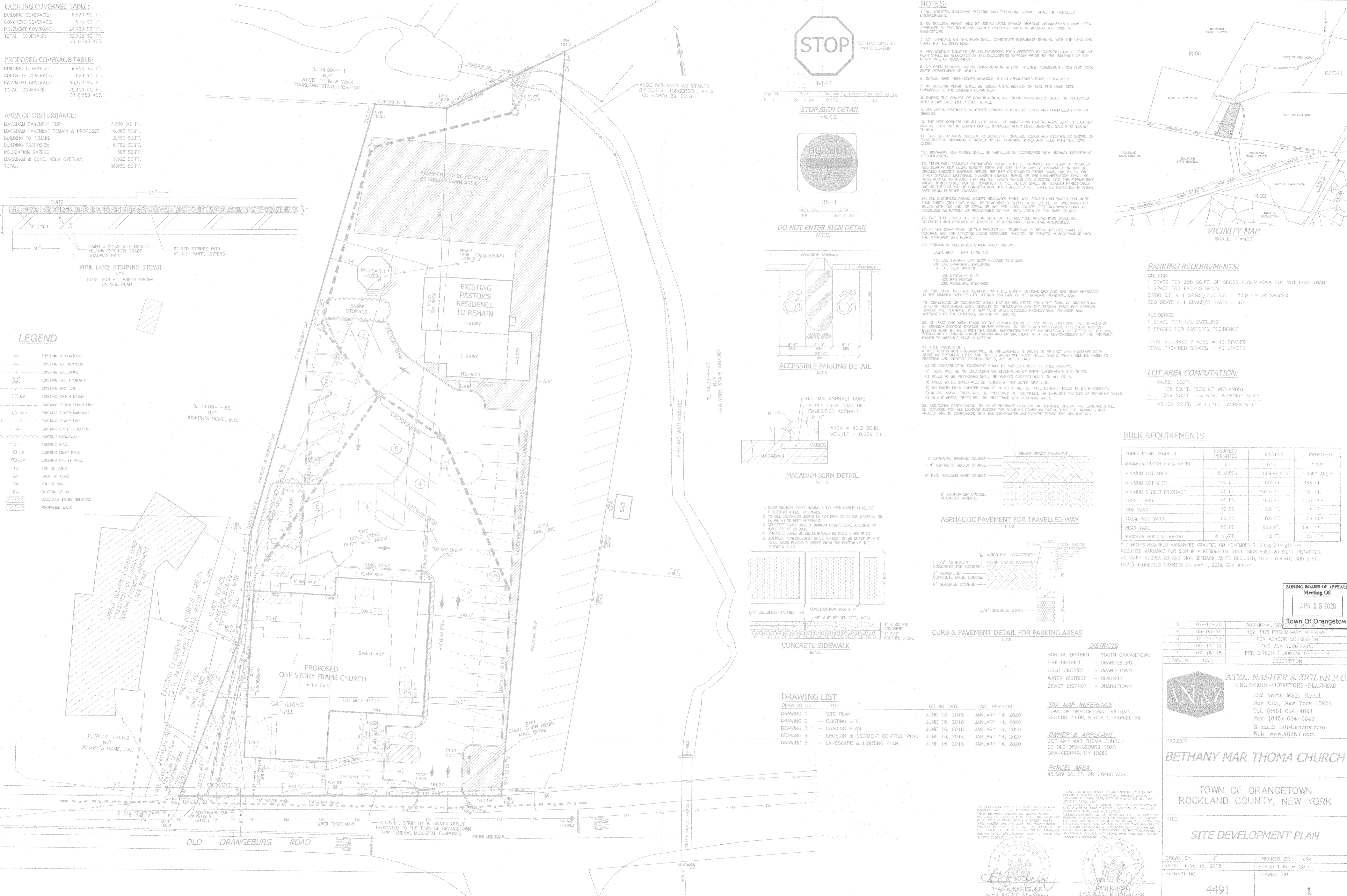
AREA OF DISTURBANCE:

MACADAM PAYMENT TRM:	7,280 SQ. FT.
MACADAM PAYMENT REMAIN & PROPOSED:	16,580 SQ. FT.
BUILDING TO REMAIN:	2,390 SQ. FT.
BUILDING PROPOSED:	6,780 SQ. FT.
RELOCATION GAZERO:	305 SQ. FT.
MACADAM & CONC. AREA OVERLAY:	3,920 SQ. FT.
TOTAL:	36,930 SQ. FT.



LEGEND

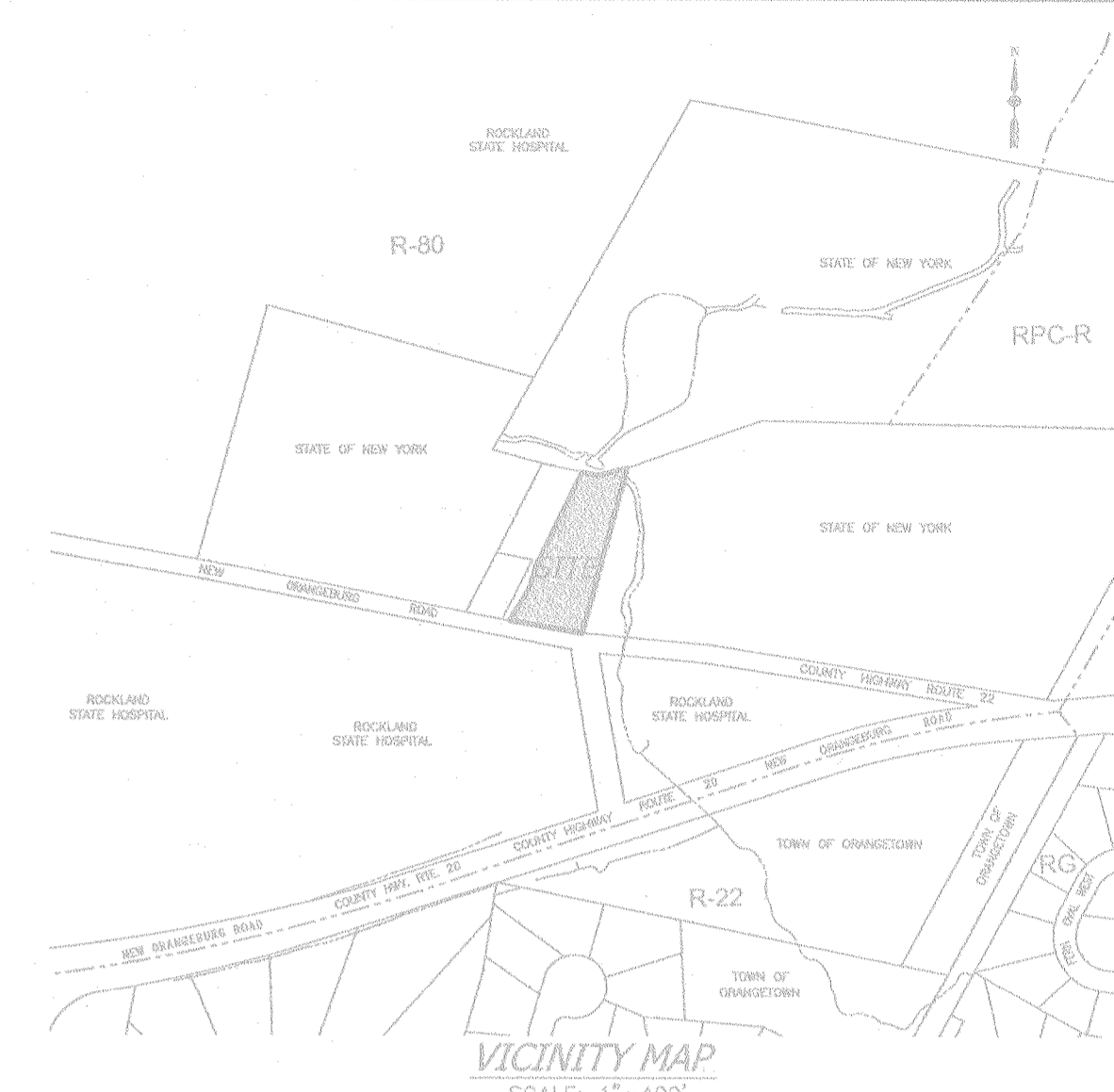
- 30' --- EXISTING 2' CONTOUR
- 10' --- EXISTING 10' CONTOUR
- --- EXISTING WATERLINE
- --- EXISTING FIRE HYDRANT
- --- EXISTING GAS LINE
- --- EXISTING CATCH BASIN
- --- EXISTING STORM DRAIN LINE
- --- EXISTING SEWER MANHOLE
- --- EXISTING SPOT ELEVATION
- --- EXISTING STONEWALL
- --- EXISTING SIGN
- --- EXISTING LIGHT POLE
- --- EXISTING UTILITY POLE
- --- TOP OF CURB
- --- DROP OF CURB
- --- TOP OF WALL
- --- BOTTOM OF WALL
- --- MACADAM TO BE REMOVED
- --- PROPOSED WALK



DRAWING LIST

DRAWING NO.	TITLE	ORIGIN DATE	LAST REVISION
DRAWING 1	SITE PLAN	JUNE 16, 2018	JANUARY 14, 2020
DRAWING 2	EXISTING SITE	JUNE 16, 2018	JANUARY 14, 2020
DRAWING 3	GRADING PLAN	JUNE 16, 2018	JANUARY 14, 2020
DRAWING 4	EROSION & SEDIMENT CONTROL PLAN	JUNE 16, 2018	JANUARY 14, 2020
DRAWING 5	LANDSCAPE & LIGHTING PLAN	JUNE 16, 2018	JANUARY 14, 2020

- NOTES:**
- ALL UTILITIES, INCLUDING ELECTRIC AND TELEPHONE SERVICE SHALL BE INSTALLED UNDERGROUND.
 - NO BUILDING PERMIT WILL BE ISSUED UNTIL SEWAGE DISPOSAL ARRANGEMENTS HAVE BEEN APPROVED BY THE ROCKLAND COUNTY HEALTH DEPARTMENT AND/OR THE TOWN OF ORANGETOWN.
 - LOT DAMAGE ON THIS PLAN SHALL CONSTITUTE EASEMENTS RUNNING WITH THE LAND AND SHALL NOT BE DISTURBED.
 - ANY EXISTING UTILITIES (POLES, HYDRANTS, ETC.) AFFECTED BY CONSTRUCTION OF THIS SITE PLAN SHALL BE RELOCATED AT THE DEVELOPER'S EXPENSE PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.
 - NO OPEN BURNING DURING CONSTRUCTION WITHOUT SPECIFIC PERMISSION FROM NEW YORK STATE DEPARTMENT OF HEALTH.
 - DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL CONDITION OR BETTER.
 - NO BUILDING PERMIT SHALL BE ISSUED UNTIL RESULTS OF TEST PITS HAVE BEEN SUBMITTED TO THE BUILDING DEPARTMENT.
 - DURING THE COURSE OF CONSTRUCTION, ALL STORM DRAIN INLETS SHALL BE PROTECTED WITH A HAY BALE FENCE (SEE DETAIL).
 - ALL AREAS DISTURBED BY ON-SITE GRADING SHOULD BE LIMED AND FERTILIZED PRIOR TO SEEDING.
 - THE NEW CORNERS OF ALL LOTS SHALL BE MARKED WITH METAL RODS 3/4" IN DIAMETER, AND AT LEAST 30" IN LENGTH (TO BE INSTALLED AFTER FINAL GRADING), SAID PINS SHOWN ON THIS PLAN.
 - THIS SITE PLAN IS SUBJECT TO DETAILS OF GRADING, ROADS AND UTILITIES AS SHOWN ON CONSTRUCTION DRAWINGS APPROVED BY THE PLANNING BOARD AND FILED WITH THE TOWN CLERK.
 - SIDEWALKS AND CURBS SHALL BE INSTALLED IN ACCORDANCE WITH HIGHWAY DEPARTMENT SPECIFICATIONS.
 - TEMPORARY SEDIMENT ENTRAPMENT AREAS SHALL BE PROVIDED AS SHOWN TO INTERCEPT AND CLARIFY SILT LAZON RUNOFF FROM THE SITE. THESE MAY BE CONSTRUCTED OR MAY BE GRAZED UTILIZING EARTHEN BERMS, RIP-RAP OR CRUSHED STONE DAMS, HAY BALES, OR OTHER SUITABLE MATERIALS. DIVERSION CHANNELS, BERMS OR CHANNELIZATION SHALL BE CONSTRUCTED TO INSURE THAT ALL SILT LAZON WATERS ARE DIRECTED INTO THE ENTRAPMENT AREAS. THESE SHALL NOT BE PERMITTED TO FILL IN, BUT SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF CONSTRUCTION. THE COLLECTED SILT SHALL BE DEPOSITED IN AREAS SAFE FROM FURTHER EROSION.
 - ALL DISTURBED AREAS, EXCEPT ROADWAYS, WHICH WILL REMAIN UNFURNISHED FOR MORE THAN THIRTY (30) DAYS SHALL BE TEMPORARILY SEEDING WITH 1/2 LB. OF RYE GRASS OR BUCKWHEAT WITH 100 LBS. OF STYRON OR MAY PER 1,000 SQUARE FEET. ROADWAYS SHALL BE STABILIZED AS RAPIDLY AS PRACTICABLE BY THE INSTALLATION OF THE BASE COURSE.
 - SILT THAT LEAVES THE SITE, IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROVED MUNICIPAL AUTHORITIES.
 - AT THE COMPLETION OF THE PROJECT ALL TEMPORARY DETENTION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, PLANTED, OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLAN.
 - PERMANENT VEGETATION COVER SPECIFICATIONS:
LAWN AREA - PER 1,000 S.F.
15 LBS. 10-4-4 SOLE SLOW RELEASE FERTILIZER
70 LBS. GRANULATE LIMESTONE
4 LBS. SEED MIXTURE:
40% KENTUCKY BLUE
40% RED FESCUE
20% PERENNIAL RYEGRASS
 - THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239 LAM OF THE GENERAL MUNICIPAL LAW.
 - CERTIFICATE OF OCCUPANCY SHALL NOT BE REQUESTED FROM THE TOWN OF ORANGETOWN BUILDING DEPARTMENT UNTIL RESULTS OF INSPECTION AND CERTIFICATION TESTS FOR SMOKE DETECTORS ARE OBTAINED BY A NEW YORK STATE LICENSED PROFESSIONAL ENGINEER AND APPROVED BY THE DIRECTOR, DIVISION OF SEWERAGE AND WATER CONTROL.
 - 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 PRECONSTRUCTION MEETING MUST BE HELD WITH THE TOWN SUPERVISOR, THE TOWN ENGINEER, THE OFFICE OF BUILDING, ZONING AND PLANNING ADMINISTRATION AND EMPLOYMENT. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO ARRANGE SUCH A MEETING.
 - THIS PROTECTION PROGRAM WILL BE IMPLEMENTED IN ORDER TO PROTECT AND PRESERVE BOTH INDIVIDUAL SPECIMEN TREES AND BUFFER AREAS WITH MANY TREES, STEPS, WHICH WILL BE TAKEN TO PRESERVE AND PROTECT EXISTING TREES, ARE AS FOLLOWS:
A) NO CONSTRUCTION EQUIPMENT SHALL BE PARKED UNDER THE TREE CANOPY.
B) THERE WILL BE NO EXCAVATION OR STORING OF EARTH UNDERNEATH THE TREES.
C) TREES TO BE PRESERVED SHALL BE MARKED CONSPICUOUSLY ON ALL SIDES.
D) TREES TO BE SAVED WILL BE FENCED AT THE OUTER DRAIN LINE.
E) NO EARTH FILLS GREATER THAN 6" IN DEPTH WILL BE MADE BENEATH TREES TO BE PRESERVED.
F) IN FILL AREAS, TREES WILL BE PRESERVED IN TREE WELLS, OR THROUGH THE USE OF RETAINING WALLS.
G) IN CUT AREAS, TREES WILL BE PRESERVED WITH RETAINING WALLS.
 - 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 PRACTICE TWO REGULATIONS.



PARKING REQUIREMENTS:

CHURCH:
1 SPACE PER 200 SQ.FT. OF GROSS FLOOR AREA BUT NOT LESS THAN 1 SPACE FOR EACH 5 SEATS
6,780 S.F. ÷ 1 SPACE/200 S.F. = 33.9 OR 34 SPACES
200 SEATS ÷ 1 SPACE/5 SEATS = 40

RESIDENCE:
1 SPACE PER 1/2 DWELLING
2 SPACES FOR PASTOR'S RESIDENCE

TOTAL REQUIRED SPACES = 42 SPACES
TOTAL PROVIDED SPACES = 43 SPACES

LOT AREA COMPUTATION:

44,881 SQ.FT.
- 109 SQ.FT. (50% OF WETLANDS)
+ 354 SQ.FT. 50% ROAD WIDENING STRIP
45,127 SQ.FT. OR 1.0360 ACRES NET

BULK REQUIREMENTS

ZONES R-80 GROUP B	REQUIRED/PERMITTED	EXISTING	PROPOSED
MAXIMUM FLOOR AREA RATIO	0.1	0.16	0.22*
MINIMUM LOT AREA	5 ACRES	1.0465 ACS.	1.0360 ACS.*
MINIMUM LOT WIDTH	400 FT.	147 FT.	146 FT.
MINIMUM STREET FRONTAGE	50 FT.	162.5 FT.	161 FT.
FRONT YARD	50 FT.	16.6 FT.	12.0 FT.*
SIDE YARD	30 FT.	3.8 FT.	4 FT.*
TOTAL SIDE YARD	100 FT.	8.6 FT.	7.8 FT.*
REAR YARD	50 FT.	86.1 FT.	86.1 FT.
MAXIMUM BUILDING HEIGHT	8 IN./FT.	12 FT.	23 FT.*

* DENOTES REQUIRED VARIANCES GRANTED ON NOVEMBER 7, 2018, ZBA #18-79
REQUIRED VARIANCE FOR SIGN IN A RESIDENTIAL ZONE, SIGN AREA 20 SQ.FT. PERMITTED, 32 SQ.FT. REQUESTED AND SIGN SETBACK 25 FT. REQUIRED, 10 FT. (FRONT) AND 5 FT. (SIDE) REQUIRED GRANTED ON MAY 1, 2019, ZBA #19-41.

ZONING BOARD OF APPEALS
Meeting Of:
APR 15 2020
Town Of Orangetown

ATZL, NASHER & ZIGLER P.C.
ENGINEERS-SURVEYORS-PLANNERS

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Web: www.anzny.com

BETHANY MAR THOMA CHURCH

TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK

SITE DEVELOPMENT PLAN

DRAWN BY: LF
DATE: JUNE 16, 2018
PROJECT NO: 4491

CHECKED BY: JRA
SCALE: 1 IN. = 20 FT.
DRAWING NO: 1