

**MINUTES
HISTORICAL AREAS BOARD OF REVIEW
JANUARY 8, 2019**

MEMBERS PRESENT: Margaret Raso
Scott Wheatley
William Walther
Loren Plotkin
Larry Bucciarelli
Carol Schelin
Thano Schoppel

ABSENT: NONE

ALSO PRESENT: Deborah Arbolino, Administrative Aide
Dennis Michaels, Deputy Town Attorney
Ann Marie Ambrose, Official Stenographer

Margaret Raso, Chairperson, called the meeting to order at 7:00 p.m. Hearings on this meeting's agenda, which are made a part of this meeting, were held as noted below:

<u>APPLICANTS</u>	<u>DECISION</u>	<u>HABR#</u>
<u>CONTINUED ITEMS:</u>		
BUL KWANG ZEN CENTER 104 Route 303 Tappan, NY 77.07 / 1 / 2; LO zoning district	APPROVED WITH SPECIFIC CONDITIONS	HABR#18-19

OTHER BUSINESS:

Walter Aurell, Architect appeared to ask about revised colors for the Scully house located at 19 Ludlow Lane, Palisades, NY, 80.06 / 1 / 29; R-80 zone; The Board reviewed color swatches of the existing color: Gold Zinger by Valspar and several other yellow toned swatches and a swatch by Benjamin Moore Semilina #2155-40 was acceptable to all because it is similar to the color of a house that is located across from the church. The applicant was instructed to make a formal application and presentation.

Marjorie Galen, President Board returned with a letter for approval (support for an electrical upgrade at the Library stating that the Historic Areas Board of Review would prefer that the CT cabinet remain inside the building instead of the location proposed by O&R on the outside facing Oak Tree Road) and signature by the Chair, Margaret Raso.

THE DECISIONS RELATED TO THE ABOVE HEARINGS are inserted herein and made part of these minutes.

There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting was adjourned at 8:00 P.M.

DATED: January 8, 2019

HISTORICAL AREAS BOARD OF REVIEW

BY: Deborah Arbolino
Deborah Arbolino, Administrative Aide

TOWN CLERK'S OFFICE
2019 JAN 17 P 1:39
TOWN OF ORANGETOWN

DECISION

APPROVED AS MODIFIED WITH THE SPECIFIC CONDITION THAT THE EXISTING PORCH ON THE ORIGINAL STRUCTURE BE RESTORED/ REFURBISHED TO ITS ORIGINAL CONDITION PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR BUILDING PERMIT # 47484

TO: Bul Kwang sa Inc.
104 Route 303
Tappan, New York 10983

HABR # 18-19
November 13, 2018 December 11, 2018
January 8, 2019 Permit #47484

FROM: HISTORICAL AREAS BOARD OF REVIEW, TOWN OF ORANGETOWN

HABR#18-19: Application of Bul Kwang Zen Center for review of an addition to the existing conference center with an expansion of living space above which will attach the residence to the conference center. The premises are located at 104 Route 303, in the Town of Orangetown, Hamlet of Tappan, New York. Chapter 12 of the Code of the Town of Orangetown, Section 12-4(A), Historical Areas Board of Review.
Tax Map Designation: 77.07 / 1 / 2; LO zoning district

Heard by the HISTORICAL AREAS BOARD OF REVIEW ("the Board") at meetings held on the following Tuesdays, November 13, 2018, December 11, 2018 and January 8, 2019 at which time the Board made the following determination:

Jonathan Hodash, Architect, and Sarah Hollerman, Architect, appeared.

The following documents were presented:

1. Architectural plans dated 02/22/2017 with the latest revision date of 10/05/2018 signed and sealed by Jonathan Hodosh, Architect, labeled "Bu Kwang Zen Center" 11 pages.
2. Site Plan labeled "Bul Kwang Meditation Center" dated December 13, 2017 with the latest revision date of 03/19/2018 signed and sealed by John R. Atzl, PLS and Ryan A. Nasher, P.E..
3. A memorandum dated June 26, 2018 from Jane Slavin RA., Director, Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown.
4. Three color computer generated pictures of the original structure on the property.
5. The Drummer Boy dated 1985 with an article on the Bogert-Haring House, Tappan, NY.
6. A letter dated November 13, 2018 from Carol LaValle, President, Tappantown Historical Society.

Jonathan Hodash, Architect, stated that they appeared before the Board 6 or 7 years ago for the newer building that was constructed closer to the street; that they are back now to combine both buildings with a center addition joining both structures; that they are not proposing any changes to the original structure; that the blue corrugated metal will be coming down; that the new portion of the structure will have a private conference center on the first floor and bedrooms upstairs for the monks; that there will be air-conditioning in this portion of the building; that there will be a basement and two floors above it and they will be approximately 1,300 sq. ft. per floor; that the site is surrounded by commercial uses and they are filling in between the two structures; that the site should be looked at in context, it is by an industrial use building, a golf course and a state highway; that the original structure is old but there is nothing nice about it; that the building is in bad shape; that they are matching what this Board already approved; and

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they would like a continuance to look into the connection to the original building and how to accomplish what they need without touching the existing structure and seeing if they would be able to touch the existing conservation line.

PUBLIC COMMENT:

Carol LaValle, President of the Tappantown Historical Society stated that she would on behalf of the Tappantown Historical Society urge the Historic Area Board of Review to deny the Bul-Kwang application to build an addition that links the contemporary conference center to the separate historic Bogert-Haring House, now used as a residence. The plan effectively erases the historic house as an independent structure and changes its character completely; that these plans are contrary to the standards and guidelines for the new additions to historic structures that have been developed by the Preservation Services of the National Park Service as part of the U.S. Department of the Interior; that one those standards emphasizes that unifying two 'volumes' into a single architectural whole should be avoided, that the historic structure be clearly identifiable, and that its physical integrity not be compromised by a new addition; that if allowed, an addition should be smaller and subordinate to the historic building, thus preserving the historic character of the property; that the present plan considers none of these standards and completely obscures the original historic structure in a long, monolithic blur of building; that Bul-Kwang's needs for expansion could be met simply by adding onto the contemporary structure in a way that is compatible with that structure and which maintains the historic 18th century Bogert-Haring house as separate building; that the property has a long history going back to the original Tappan Patent of 1686; that the property belonged to the patentee Hendrick Lambertse, who sold it to Gysbert Bogert in 1707; that according to the studies of the late architect and HABR chairman Danforth Toan, some elements, such as part of the foundation, date back to 1707; that the house was enlarged around 1740, and later, "modernized" in 1800; that over the centuries, it has been occupied by some of the area's most influential families: the Bogarts, the Harings, the Blauvelt's, and the Verbrycks; that the historic society hopes that Bul-Kwang will respect and honor the important ancestry and history embodied in the house by preserving its independent exterior historic structure; that a conference center can be built that would accommodate the needs of the applicant without compromising the existing significant historic structure.

Mary Cardenas, Orangetown Historian, stated that building a new structure adjacent to the old structure makes her wonder when they will propose to demolish the old house for a new modern structure; that the new proposed conference center will be 2,600 sq. ft. not counting the full basement; that she has seen old buildings like this lost; that they lost one three years ago; that this new structure should not be attached to the original Bogart house.

Firth Haring Fabent, Verona, New Jersey stated that she grew up in Orangetown; that she is a historian of Dutch in this area; that in 1985 she did research on this property and submitted a copy of the "The Drummer Boy published in 1985 with a picture of the house with her grandmother, outside of the house, on the cover; and she gave a brief history of the property and the house; and stated that in the 1990's the structure was issued a stop work order because they were throwing windows and doors into a dumpster; that no work should be able to be done on this valuable historic structure without advance notice to the State Historic Preservation Board and there are only five of this type of house left in Orangetown; and she hopes the Board resolves this issue in favor of the house.

TOWN CLERK'S OFFICE
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Clair Sheridan, 242 Kings Highway, stated that she lives across from the creek and she looks at this structure all the time; that she agrees with the historian that the Department of Interior Standards are clear and were not used here; that Wynn Perry was issued stop work order; that SHIPO needs to be involved in this project; that ten generation have lived in the house; that this is an example of Jersey Dutch History; that she is the Chairperson of the Rockland County Historical Preservation Committee; that they devote energy to these matters; that this structure is representative of Architecture that is unique to this region; that these structures cannot be lost; that the Jersey Dutch Sandstone doesn't exist anywhere else; that this house and its history are vital to the area; and that the Department of Interior Standards must prevail.

The following items were submitted for the December 11, 2018 meeting:

1. Architectural plans dated 02/22/2017 with the latest revision date of 11/27/2018 signed and sealed by Jonathan Hodosh, Architect, labeled "Bu Kwang Zen Center" 11 pages.

Jonathan Hodash, Architect, and Sarah Hollerman, Architect, appeared.

All the Board members were present.

Jonathan Hodash, Architect, stated that they listened to the Board and the public and took all of the comments into consideration; that they also took a hard look at the old photos of the site; that the early photos show a barn type structure that was next to the house; that they have turned the gable opposite direction and cut in as far as they could to make the connection to the existing building less of an impact; that they have reduced the size of the second floor by a couple hundred feet and it breaks up more because of the turning of the gable; that they could use the existing steel door as the connection and that way the shrine would not be effected; that there has been quite a bit of changes made to the structure over years such as the dormers; that they are aware that the fieldstone is adhered with lime and sand and they could do one attachment instead of two at the existing steel door; that they cannot add onto the new building in the other direction because of the constraints on the lot; they are confined to this area because of zoning restrictions and the wetlands on the property; that they can get a geotechnical engineer report and come back with revised plans showing the changes that were proposed tonight.

Public Comment:

Mary Cardenas, Orangetown Historian, read a letter from Carol La Valle, President, Tappantown Historical Society:

I am writing on behalf of the Tappantown Historical Society to once again ask the Historic Area Board of Review to deny the new Bul-Kwang plan for expansion. While the new plan for an addition that joins the Bogert-Haring House to the contemporary Conference Center is an improvement in its appearance, the main problem remains: joining the new structure to the historic Bogert-Haring House significantly alters the identity and character of the historic house and its site.

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PLANNING DEPARTMENT
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In addition, the plan does not conform to the Department of Interior's standards and guidelines to historic structures in that the scale, mass, and proportions of the addition are not subordinate to the original historic structure. Also, given the changes that would have to be made to the original structure, it is doubtful that its essential form and integrity could be restored if the addition were removed in the future, as the standards and guidelines require.

Furthermore, it isn't clear why a variance isn't needed for the new structure given its use as a residence. While the Bogert-Haring House is a pre-existing, non-conforming use in an LO zone, the new structure, while non-conforming, is certainly not pre-existing. Proposing to connect the new building to the old should not automatically confer such use.

In addition to these considerations, an important point was raised at the November 13, 2018 HABR hearing. When approval was given for the conference center, the owner agreed to make necessary repairs to the Bogert-Haring House. These repairs had yet to be done. We suggest that no approval for any new plans be given until these repairs have been made.

In our letter of November 13, 2018, we gave a brief summary of the history of the Bogert-Haring property going back to the 17th century. The THS hopes that the Bul-Kwang owners will keep that history in mind and once again rework their plans for expansion in a way that honors, respects, and preserves the integrity and identity of the historic Bogert-Haring house.

Sincerely,
Carol LaValle, President.

And Mary Cardenas continued with her concerns about connecting the new structure to the existing stating that she spoke to the architect this afternoon and looking at the photograph it does look like a barn was close to the house but it looks like English design from the 1800's, almost Williamsburg like and that the new structure should be attached to the newer building but not the sandstone building.

Clair Sheridan, 242 Kings Highway, Tappan an abutting property owner and Chair of the Preservation Committee for the Rockland County Historic Society, stated that the addition shouldn't take away from the original structure or site; that it should be less in size and mass than the actual structure itself; that the new design is better but it is still not in tune with the Department of Interior Standards; that the creek, wetlands and historic site needs consideration and the size and scale are not correct.

Firth Haring Fabent, Verona, New Jersey stated that she grew up in Orangetown; that she is a historian of Dutch in this area; that she would like to read a poem that she wrote about the house and people during the revolution; that there are only three houses left of this stature and she read her poem.

Mary Cardenas, asked if the person that purchased the property was told that it was within the historic area.

Larry Vail, 389 Kings Highway, Tappan, asked if the applicant was going to be asked to continue the project so that revised plans could be submitted; that it is really hard to understand from the audience what changes the Board and the applicant are talking about.

ROCKLAND COUNTY HISTORIC SOCIETY
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TOWN OF ORANGETOWN

At this time the applicant asked for a continuance to the January 8, 2019 meeting and was told to submit new plans by December 27th and that he would have to put up new posters because they are no longer legible and that no new letters will be mailed.

Submitted for review at the January 8, 2019 meeting:

1. Architectural plans dated 02/22/2017 with the latest revision date of 12/21/2018 signed and sealed by Jonathan Hodosh, Architect, labeled "Bu Kwang Zen Center" 11 pages.
2. A letter dated January 7, 2019 from Atzl, Nasher & Zigler, P.C., Engineers-Surveyors-Planners signed by Ryan A. Nasher, P.E. (3 pages with attachments).
3. A letter dated January 8, 2019 from Mary R. Cardenas, Orangetown Historian.
4. A letter dated January 8, 2019 from the Tappantown Historic Society written and signed by Carol LaValle, President.

Jonathan Hodash, Architect, and Sarah Hollerman, Architect, appeared.

All Board members were present.

Jonathan Hodash, Architect, stated that they have listened to the Board and the public's suggestions; that the connector is six foot wide; that they have eliminated the basement connection; that they will hand did the two footings for the connection; that the patio will be removed; that the existing porch will be restored with columns and door; that the leaders and gutters will lead away and contour down between the buildings; that the six foot connection is not making anything larger; that the barns that were shown in the historical pictures were much larger than the proposal; that the house has evolved; that it was used by multi-generational families years ago; that there have been additions added to the original structure and the interior is all new; that Bul Kwang is not trying to take down the original structure; that they want to save and preserve it but also re-utilize it for their needs; that this is a nice compromise.

Public Comment:

Keith Walker, member of the Tappan Town Historic Society, submitted a letter from Carol La Valle, President, Tappantown Historical Society; and he stated that he shares her concerns regarding the structure being subordinate to the original structure and her concerns about joining the two structures and the integrity of the original structure being damaged.

Clair Sheridan, 242 Kings Highway, Tappan an abutting property owner and Chair of the Preservation Committee for the Rockland County Historic Society, stated that she concurs with Carol LaValle's letter; that the revised plan is better but the site will have one giant single structure that takes away from the individual standalone dwelling; that the Department of Interior report states that this changes the site; that she would question if the engineer is experienced in working with houses of this age; that this age house has practical needs and the engineer should be aware of hem; that she understands adaptable re-uses and it is wonderful

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PROJECT: 18-19-0001

because old structures are not just torn down but at the same time the entire site should be looked at; that this is much better than the previous presentations but the site changes are huge.

Susan Nemesdy, 19 Lawrence Lane, Palisades, understands what Clair is saying but believes this is a much better plan and the best possible choice for the Board; that if they do not allow the re-use of the building than they don't know what the next owner would do.

William Walther asked the Architect to explain where the gutters and leaders would drain and stated that these plans are much better than the first set of plans and that the architect did a great job changing the roof connection and reducing the connection to the original structure.

Larry Bucciarelli stated that the new revised plans look similar to some of the historic pictures that were handed in by the public; that the barns in the pictures resemble the proposed addition in placement and roof; and that the Board needs to work with applicants that are willing to re-use historic buildings.

Margaret Raso stated that the connection to the original house is going to be through the existing door and there are modern materials that can be used to seal the existing stone walls and the attachment is not large.

Thano Schoppel stated that these old buildings go through many changes over the years; that the 76 House entire rear of the building was removed and rebuilt much larger; that this looks like the best job possible for preserving most of the eastern façade; and that the Board is not here to stop people from re-using old buildings and the Board needs to be aware of both sides restoration and preservation and also re-purpose for these for these structures.

Scott Wheatley questioned how the connection on the second floor would be done and if a bearing wall would be affected.

FINDINGS OF FACT:

The Board, after personal observation of the property, hearing all the testimony and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), found as fact, that: The application as presented, would not adversely affect the Historical Areas and the surrounding area. The design and materials for the proposed addition: Architectural plans dated 02/22/2017 with the latest revision date of 12/21/2018 signed and sealed by Jonathan Hodosh, Architect, labeled "Bu Kwang Zen Center" 11 pages; A letter dated January 7, 2019 from Atzl, Nasher & Zigler, P.C., Engineers-Surveyors-Planners signed by Ryan A. Nasher, P.E. (3 pages with attachments):

1. The Roof shall be Acrylic-Coated Galvalume (Metal Gray) SV Standing Seam by Union Corrugating Company.
2. The siding shall be HardiePlank Vertical Siding-Cedar mill 48" in Monterey Taupe by James Hardie.
3. The decorative siding at the dormers shall be Hardee Trim Board Rustic Grain Batten Boards 25" by James Hardie.

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4. The Soffits and Leaders shall be Hardie Soffit Panels vented smooth & Hardie trim boards in Timber Bark by James Hardie.
5. The gutters and leaders shall be Metal Gray Aluminum.
6. The windows shall be Dark Bronze Andersen 400 Series double hung vinyl clad.
7. The Trim shall be Timber Bark Hardie Trim 4/4 smooth 2.5" by James Hardie.
8. The front door shall be 10 lite over 1 panel and the existing doors are going to be re-used.
9. The side front door shall be unfinished painted white to match the exiting 1 panel 10 lite SDL Fiberglass by Glasscraft.
10. The rear door shall be dark bronze aluminum clad Andersen with vertical siding.
11. The lighting shall be relocated old rust Theodore one light outdoor barn light wall mounted downlight fixture by Darby Home Co..
12. The stone will be limestone color York by Eldorado.
13. The walkways shall be concrete with Belgian block curb.
14. **No Certificate of Occupancy shall be issued for building permit #47484 until the existing porch on the historic house known as the Bogart-Haring House is repaired/restored and refurbished to its original condition. Absolutely no corrugated plastic shall be allowed on the site.**

THIS APPROVAL/DECISION, INCLUDING THE BOARD'S REQUIRED MODIFICATIONS TO THE APPLICANT'S DRAWINGS AND /OR PLANS, OR CONDITIONS SET FORTH HEREIN, IF ANY, IS GRANTED BY THE HISTORICAL AREAS BOARD OF REVIEW SUBJECT TO ANY SUCH CONDITIONS AND/OR MODIFICATIONS, AND IS LIMITED TO THE SPECIFIC RELIEF REQUESTED HEREIN.

***** PRE-1918 CONSTRUCTION: PLEASE BE ADVISED: IN THE HISTORIC AREA, ALL CONSTRUCTION REQUIRING A BUILDING PERMIT OR ANY EXTERIOR CHANGES (INCLUDING PAINT COLOR) TO BUILDINGS CONSTRUCTED PRIOR TO 1918, REQUIRES APPROVAL FROM THE HISTORICAL AREAS BOARD OF REVIEW.***

PRIOR APPROVAL OF THE HISTORICAL AREAS BOARD OF REVIEW IS REQUIRED PRIOR TO ANY CHANGE OR MODIFICATION OF THE REQUIREMENTS AND/OR CONDITIONS SET FORTH IN THIS DECISION, INCLUDING, BUT NOT LIMITED TO:

- ROOFING SHINGLES (IF CHANGING COLOR)
- SIDING
- DECORATIVE SIDING
- SOFFITS & FASCIA
- GUTTERS AND LEADERS
- WINDOWS
- TRIM
- SHUTTERS
- DOORS
- LIGHTING
- LOCATION OF AIR CONDITIONING UNITS

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TOWN OF ORANGE

- WALKWAYS, PATIOS
- POOLS, SPAS AND FENCES
- SIGNS
- ANY CHANGE IN THE ABOVE LIST INCLUDING COLOR, MATERIAL AND/OR MANUFACTURER

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT DEBBIE ARBOLINO, CLERK TO THE HISTORICAL AREAS BOARD OF REVIEW AT (845) 359-8410.

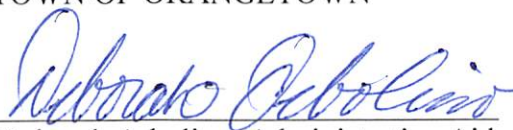
DECISION: In view of the foregoing, and after personal observation of the property, hearing all the testimony before the Board, and reviewing all drawings and plans, and other submissions, correspondence and reports (if any), the application for the addition: Architectural plans dated 02/22/2017 with the latest revision date of 12/21/2018 signed and sealed by Jonathan Hodosh, Architect, labeled "Bu Kwang Zen Center" 11 pages; A letter dated January 7, 2019 from Atzl, Nasher & Zigler, P.C., Engineers-Surveyors-Planners signed by Ryan A. Nasher, P.E. (3 pages with attachments) with the SPECIFIC CONDITION that **No Certificate of Occupancy shall be issued for building permit #47484 until the existing porch on the historic house known as the Bogart-Haring House is repaired/ restored and refurbished to its original condition. Absolutely no corrugated plastic shall be allowed on the site;** is APPROVED.

The foregoing resolution to approve the addition/expansion last submitted and as modified by this Decision was presented and moved by Margaret Raso, seconded by Thano Schoppel; and carried as follows: William Walther, aye; Thano Schoppel, aye; Margaret Raso, aye; Larry Bucciarelli, aye; Carol Schelin, aye; Loren Plotkin, aye; and Scott Wheatley, aye.

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

Dated: January 8, 2019

HISTORICAL AREAS BOARD OF REVIEW
TOWN OF ORANGETOWN

BY: 
Deborah Arbolino, Administrative Aide

DISTRIBUTION:

APPLICANT
TOWN BOARD MEMBERS
HABR MEMBERS
SUPERVISOR
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR- G.M.

TOWN CLERK
HIGHWAY DEPARTMENT
TOWN HISTORIAN
DEPT. OF ENVIRONMENTAL
ENGINEERING
HABR, PB, FILE
PB, ZBA, ACABOR CHAIRMAN

TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE