

**DEPARTMENT OF PLANNING**

Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
Pomona, New York 10970  
Phone: (845) 364-3434 Fax: (845) 364-3435

**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene Miller**  
*Deputy Commissioner*

June 23, 2020

Orangetown Zoning Board of Appeals  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 77.11-2-45

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M

**Map Date:** 2/3/2016

**Date Review Received:** 6/8/2020

**Item:** *LAMOND GAZEBO (O-2402)*

Variance for accessory structure being less than 15 feet from a principal building, to permit the construction of a gazebo at an existing single-family dwelling, located on 0.25 acres in the R-15 zoning district.

West side of Paul Court, approximately 87 feet north of Washington Street

**Reason for Referral:**

Washington Street (CR 8)

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

**\*Approve**

1 Since the proposed variance will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.



Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown  
Rockland County Department of Highways

Midstate Engineering Inc.

Keith Lamond

## **LAMOND GAZEBO (O-2402)**

*\*The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

*The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

*In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.*

*Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.*

# **Rockland County** HEALTH

**CENTER FOR ENVIRONMENTAL HEALTH**  
Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building D  
Pomona, New York 10970  
Phone: (845) 364-2608 Fax: (845) 364-2025



**Public Health**  
PREVENT PROMOTE PROTECT

**EDWIN J. DAY**  
*County Executive*

**PATRICIA S. RUPPERT, DO, MPH, CPE, DABFM, FAAFP**  
*Commissioner of Health*

**SAMUEL RULLI, PE**  
*Director, Environmental Health*

July 6, 2020

Ms. Deborah Arbolino  
Town of Orangetown Zoning Boards of Appeals  
20 Greenbush Road  
Orangetown, NY 10962

Re: Lamond Gazebo – 4 Paul Court, Tappan  
Variances for Single Family Dwelling  
Tax lot 77.11-2-45

Dear Ms. Arbolino:

We have received an application and plans as prepared by Midstate Engineering Inc. dated February 3, 2016 for the above referenced project. Comments are as follows:

1. Should the Board require a stormwater management system to remediate the increase in impervious surface, application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.

If you have any questions regarding this matter, do not hesitate to call.

Very truly yours,

Elizabeth Mello, P.E.  
Senior Public Health Engineer  
(845) 364-2616

cc: Arlene Miller, Rockland County Department of Planning

**ROCKLAND COUNTY SEWER DISTRICT NO. 1**

4 Route 340  
Orangeburg, New York 10962  
Phone: (845) 365-6111 Fax: (845) 365-6686  
RCSD@co.rockland.ny.us

**George Hoehmann**  
*Chairman*

**Michael R. Saber, P.E.**  
*Assistant Director/Acting Executive Director*

July 7, 2020

Ms. Deborah Arbolino  
Town of Orangetown Zoning Board of Appeals  
20 South Greenbush Road  
Orangeburg, NY 10962

Re: Lamond Gazebo  
4 Paul Court, Tappan  
Tax Lot 89/77.11-2-45 (formerly 60-51-457.19/34)

Dear Ms. Arbolino:

Our office has received and reviewed a grading plan that was last revised on February 3, 2016, which Midstate Engineering prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Rockland County Sewer District No. 1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District. We request no future correspondence for this site.

Please inform us if any developments in this project change to affect the District. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,

  
Joseph LaFiandra  
Engineer II

cc: M. Saber  
Helen Kenny-Burrows – Rockland County Department of Planning

File: TOO 77.11-2-45 – 4 Paul Court  
Reader



## ZONING BOARD OF APPEALS

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

Date: June 8, 2020

TO: OBAPAE

Environmental Management and Engineering ✓ Rockland County Drainage  
 ✓ Rockland County Sewer District #1 ✓ Rockland County Health  
 New York State Dept. of Transportation ✓ Rockland County Planning  
 Palisades Interstate Park Commission ✓ Rockland County Highway  
 Orange and Rockland Utilities  
 Orangetown Highway  
 Fire Prevention (Performance Standards)

Review of Plans: Lamond Gazebo, 4 Paul Court, Tappan, NY  
Section 77.11 Block 2 Lot 45 R-15 zone

This matter is scheduled for:

Chapter 43, R-15 District, Group M, Section 5.153 (accessory structure must be 15' from principal building: 10.4' proposed) for a gazebo at an existing single-family residence.

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](mailto:darbolino@orangetown.com) or
- Fax to the Town of Orangetown ZBA @845 359 8526

**Zoning Board Meeting Date: July 15, 2020**

- ( ) 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 15, 2020**. Kindly forward your completed review to this office by July 15, 2020.

Reviewing Agency Dyan RajasinghamName Dyan Rajasingham; date: 06.11.20Signature: 

Thank you, Deborah Arbolino

ZONING BOARD OF APPEALS

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

Date: June 8, 2020

TO: OBAPAE

- |  |                            |
|--|----------------------------|
| Environmental Management and Engineering | ✓ Rockland County Drainage |
| ✓ Rockland County Sewer District #1      | ✓ Rockland County Health   |
| New York State Dept. of Transportation   | ✓ Rockland County Planning |
| Palisades Interstate Park Commission     | ✓ Rockland County Highway  |
| Orange and Rockland Utilities            |                            |
| Orangetown Highway                       |                            |
| Fire Prevention (Performance Standards)  |                            |

Review of Plans: Lamond Gazebo, 4 Paul Court, Tappan, NY

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Reviewing Agency RC Health Dept

Name Liz Mello date: 7/6/20

Signature: [Signature]

Thank you, Deborah Arbolino

To: Town of Orangetown Zoning Board  
From: Joe and Casey Huber, 5 Carol Lane, Tappan, NY  
Date: July 8, 2020, Meeting Date: July 15, 2020  
Re: 4 Paul Court, Tappan "Cabana"

Dear Zoning Board,

On May 22, 2020 we were told by the Town, that the "cabana" being constructed at 4 Paul Court by Keith Lamond was not permitted and a Stop Work Order had been placed.

For the most part, work stopped until June 18, 2020. Since that date, work has resumed on the non-permitted structure every weekday from 8AM to 5PM. The Stop Work Order was ignored and at this point the project is close to completion.

The structure was built, the gas line was put in, all without a permit. In addition to ignoring Stop Work Orders, Mr. Lamond also built the structure in violation of town code by building it only 10.4 feet away from his home, when Chapter 43, Section 5.153 of the town code requires a 15 foot setback to the primary structure.

We believe the large and un-permitted "cabana" structure will adversely affect our home by de-valuing it. The structure is very large, the back of it faces us, effectively bringing their building line much closer to ours. We can see it from our patio over our 6 foot fence. The un-permitted structure can also be seen from both the first and second story windows of our home facing that direction.

We object to any variance that would bring his structure closer to our property line than it already is.

We suggested a compromise whereby foliage could be used as a screen. A line of trees would screen our view of this cumbersome structure and decrease noise reaching our yard and the yard of our other concerned neighbors at 6 Paul Court.

We have attempted to amicably settle this matter with the owner of 4 Paul Court, Keith Lamond, to no avail. On July 7, 2020, Mr. Lamond threatened to rebuild the structure even closer to our property if he was not granted a variance to keep the structure where it was constructed without a permit.

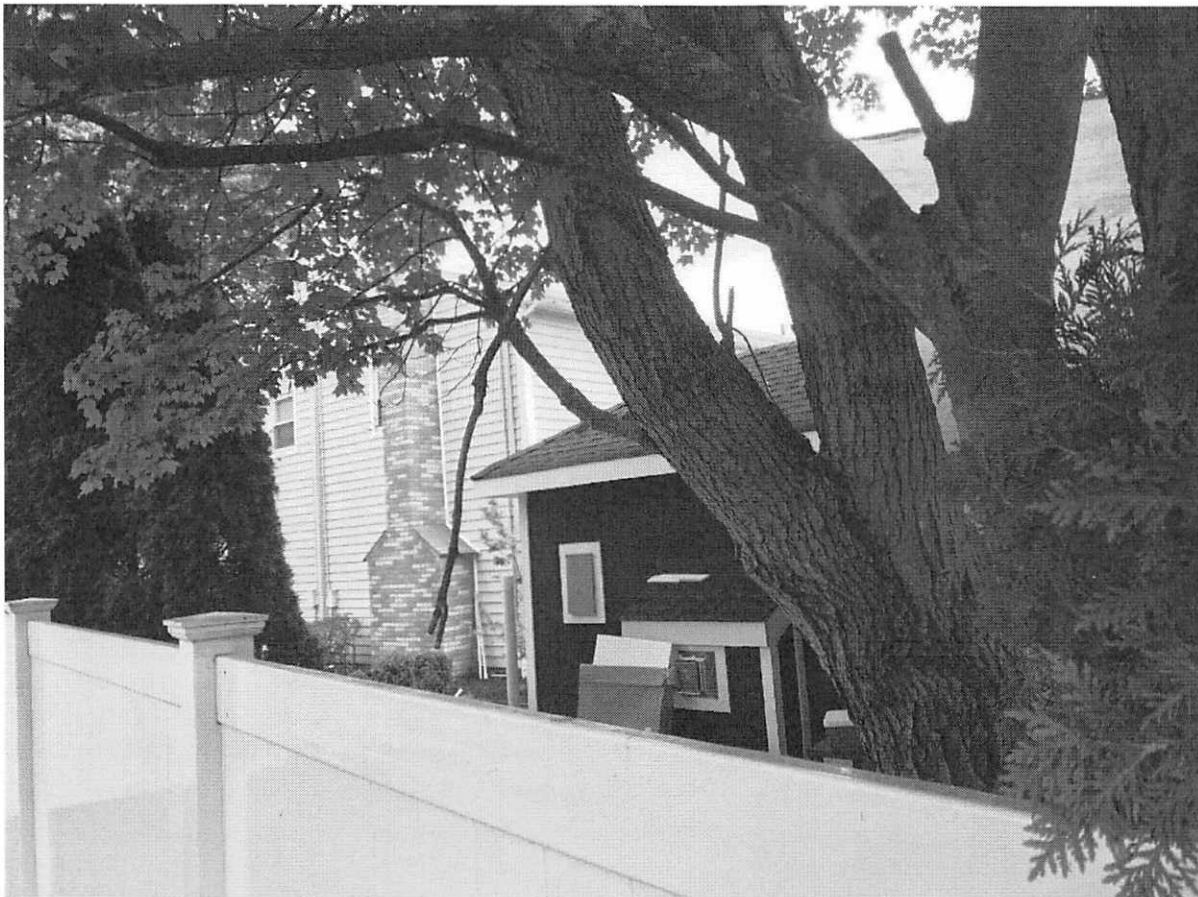
In the 30 years that we have lived in this town, we have never objected to any project that any neighbor has wanted to do. We are just looking to protect our property and our rights as homeowners in Tappan. We ask that the board consider our objection to to this project. Mr. Lamond built this structure without a permit, in violation of town code and ignored the Stop Work Order while constructing it. It is obtrusive and we feel it is a threat to our property value.

Attached below are photos of the construction of the un-permitted structure built by Mr. Lamond in violation of town code.

Sincerely,

Joseph and Casey Huber







## **Debbie Arbolino**

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**From:** Kelly Cavalli <k.cavalli31@gmail.com>  
**Sent:** Wednesday, July 08, 2020 10:34 PM  
**To:** Debbie Arbolino  
**Cc:** meglamond@yahoo.com  
**Subject:** 4 Paul Court

[External Email]

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To Orangetown Zoning Board:

It has come to our attention that our neighbors, Megan and Keith Lamond are asking for a variance for a gazebo on their property at 4 Paul Court in Tappan.

The Lamonds are quiet, respectful neighbors who have continuously improved their home and therefore the values of all our homes. As their neighbors, we fully support this variance.

Thank you for your time and consideration in this matter.

Kelly and Sergio Cavalli  
15 Paul Ct, Tappan, NY 10983

## **Debbie Arbolino**

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**From:** John Smith <john.mk.smith@outlook.com>  
**Sent:** Thursday, July 09, 2020 11:27 AM  
**To:** Debbie Arbolino  
**Subject:** Keith and Meghan Lemond - 4 Paul Court

[External Email]

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To whom it may concern,

My wife and I live at 9 Paul Court, around the corner from Keith and Meghan. We have no objections to the gazebo they have constructed. We do not see it from our backyard and it in no way detracts from the use of our property.

Thanks

John M. Smith and Katrina Smith  
9 Carol Lane  
Tappan, NY

## **Debbie Arbolino**

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**From:** pshea293@aol.com  
**Sent:** Wednesday, July 08, 2020 8:08 PM  
**To:** Debbie Arbolino  
**Subject:** Meg and Keith Lamond: Paul Court Tappan

**[External Email]**

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Good Evening,

I am writing to you in support of Meg and Keith Lamond on Paul Court in Tappan and their recent addition of a gazebo located in their backyard.

In no way do my husband and I believe that the gazebo (or any part of the Lamond property) detracts from our neighborhood appearance or causes an obstruction of any kind. It is located in the confines of a well manicured / fenced in property.

We believe that the value of our neighborhood and our home on Paul Court is greatly enhanced by the the Lamond family home and property! We have had the pleasure of living on Paul Court for approximately 25 years and value the care taken by all of our neighbors as they strive to maintain and improve their homes and property.

We are definitively NOT opposed to the gazebo on the Lamond property!

Sincerely,

Patricia A. Shea  
5 Paul Court  
Tappan, NY 10983  
845-548-2985

## Debbie Arbolino

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**From:** Tatiana Henderson <t.henderson05@yahoo.com>  
**Sent:** Wednesday, July 08, 2020 12:30 PM  
**To:** Debbie Arbolino  
**Subject:** Keith and Megan Lamond

[External Email]

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Town of Orangetown Zoning Board,

We would like to express support of our neighbors Keith and Megan Lamond. We are aware that they are building a Gazebo in their backyard. The work has caused no problems for us, there is no noise issue and I think it is great to see neighbors improving their property. It is beneficial to the neighborhood when homeowners take pride in their home by keeping it tidy and updated.

Thank you,

Joseph and Tatiana Crosby

1 Paul Court , Tappan New York 10983

**Debbie Arbolino**

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**From:** Marissa Ruggiero <rerun114@aol.com>  
**Sent:** Tuesday, July 07, 2020 1:14 PM  
**To:** Debbie Arbolino  
**Subject:** Gazebo at Lamonds

[External Email]

To Whom this May Concern,  
My name is Marissa Ruggiero.

My address is 16 Paul Court in Tappan.

I'm writing this letter in regards to my neighbors Keith and Megan [REDACTED] Lamond who reside at 4 Paul Ct.

I am aware that they are building a gazebo. I am not opposed to this in anyway. They are extremely respectful and courteous neighbors [REDACTED]. If you need to contact me for further information my phone number is 834-304-4000.

Thank you,

Steven and Marissa Ruggiero

16 Paul Court

Tappan, NY 10983

Sent from my iPhone



## Debbie Arbolino

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**From:** Nicole <yogart4kids@gmail.com>  
**Sent:** Tuesday, July 07, 2020 12:24 PM  
**To:** Debbie Arbolino  
**Subject:** Keith and Megan Lamond

[External Email]

To Whom this May Concern,

My name is Nicole Guarnieri.

My address is 3 Carol Lane in Tappan.

I'm writing this letter in regards to my neighbors Keith and Megan Lamond who reside at 4 Paul Ct.

My home directly backs up to their yard. I am aware that they are building a gazebo. I am not opposed to this in anyway. They are extremely respectful and courteous neighbors. If you need to contact me for further information my phone number is 914-588-6685.

Thank you,

Nicole Guarnieri

3 Carol Lane

Tappan, NY 10983

The Children's School of Yoga

Rockland/ Northern Valley

914-588-6685





## Debbie Arbolino

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**From:** Megan Lamond <meglamond@yahoo.com>  
**Sent:** Wednesday, July 08, 2020 11:43 AM  
**To:** Debbie Arbolino  
**Subject:** Fwd: #4 Paul Ct. Tappan

[External Email]

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Best,  
Meg Stoker Lamond

Begin forwarded message:

**From:** naaab <naaab@aol.com>  
**Date:** July 8, 2020 at 11:07:08 AM EDT  
**To:** [darbalino@orangetown.com](mailto:darbalino@orangetown.com), [meglamond@yahoo.com](mailto:meglamond@yahoo.com)  
**Subject:** #4 Paul Ct. Tappan

Hi, my name is Ned Bertulfo, I'm a retired NYS Workers Compensation Judge residing at 24 Paul Ct. since 1982. I'm writing to support the gazebo construction and whatever improvements they intend to do at their backyard so long as it conforms to the Town's regulations and protocols.

As one of the original residents in the development, I've seen so many changes since, new residents, increased property and school taxes, diversity and most of all, the desirable quality of life.

It is this regard. that I support quality improvements specially in the midst of coronavirus since it not only encourages residents to stay home and creates employment, thus add to the quality of life in our Town,

Thanks for your time.

Ned

Sent from my T-Mobile 4G LTE Device