

Name of Municipality: TOWN OF ORANGETOWN Date Submitted: _____

2020 LAND USE BOARD APPLICATION

Please check all that apply:

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

PERMIT#: 50153
ASSIGNED
INSPECTOR: Dom

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

Project Name: 6' Fence installation on side yard facing
Eberhardt Road

Street Address: 29 Merritt Drive
Nanuet, NY 10954

Tax Map Designation:
Section: 64.18 Block: 1 Lot(s): 78.1
Section: _____ Block: _____ Lot(s): _____

Directional Location:
On the north side of 29 Merritt Drive, approximately
103 feet north of the intersection of Eberhardt Road & Merritt in the
Town of ORANGETOWN in the hamlet/village of Nanuet.

Acreage of Parcel <u>13</u>	Zoning District <u>R-15</u>
School District <u>Nanuet</u>	Postal District <u>Nanuet</u>
Ambulance District <u>Nanuet</u>	Fire District <u>Nanuet</u>
Water District <u>Suez</u>	Sewer District <u>Orangetown</u>

Project Description: (If additional space required, please attach a narrative summary.)
6' fence installation on side yard facing
Eberhardt Road, one side of fence is facing
front yard.

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

Date: 8/17/20 Applicant's Signature: [Signature]

APPLICATION REVIEW FORM

Applicant: Christian Martinez Phone # 646-825-1052
Address: 29 Merritt Drive Nanuet NY 10954

Property Owner: Christian Martinez Phone # 646-825-1052
Address: 29 Merritt Drive Nanuet NY 10954

Engineer/Architect/Surveyor: Phone #
Address:

Attorney: Phone #
Address:

Contact Person: Christian Martinez Phone # 646-825-1052
Address: 29 Merritt Drive Nanuet NY 10954

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

List name(s) of facility checked above:

Referral Agencies:

- RC Highway Department
RC Drainage Agency
NYS Dept. of Transportation
NYS Thruway Authority
Adjacent Municipality
Other
RC Division of Environmental Resources
RC Dept. of Health
NYS Dept. of Environmental Conservation
Palisades 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? _____
- 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.

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? 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.

Christian Martinez
29 Merritt Drive
Nanuet, NY 10954

August 20, 2020

Zoning Board of Appeals
20 Greenbush Road
Orangeburg, New York 10962

To Whom It May Concern,

Thank you for taking the time to review my application for a variance at 29 Merritt Drive, Nanuet, New York. This is a corner property facing Ehrhardt Road and Merritt Drive. The variance consists of installing a 6' high fence on my side yard of the property, facing Ehrhardt Road.

My family moved here from Queens in November 2019 to seek a better childhood for our 3 children, where my eldest is only 8 years old and autistic, youngest is 2, and we are expecting baby #4 in December. As a "Rockland boy" myself, I have always been fond of and believe Rockland County is a hidden gem in New York. We never imagined or have experienced living in a corner property on a main road, but we have quickly realized the challenges associated with it and having young children. My kids toys and sports' balls have already made it to the main road and my kids have ran into the main road. Because of these dangers and recent experiences, we expedited the installation of this fence in May 2020.

We had no idea that installing a 6' fence instead of a 4' fence would be such an issue. If so, we would have filed this variance ahead of installation. The latches to the fence are installed at ~4.5' above ground so the kids cannot reach it. Our deepest and sincerest apology for having caused this violation, and we look forward to a reasonable resolution to this matter.

Kindly find attached all requested information to meet at an upcoming Zoning Board of Appeals meeting.

Thank you, stay safe and be well!

Sincerely,


Christian Martinez

SWIS	PRINT KEY	NAME	ADDRESS
392489	64.18-1-64	Richard Butler	9 Villa Dr,Nanuet, NY 10954
392489	64.18-1-75	Wayne Huyck	382 Ehrhardt Rd,Pearl River, NY 10965
392489	64.18-1-76	John Brennan	384 Ehrhardt Rd,Pearl River, NY 10965
392489	64.18-1-77	Richard J Nemeth	386 Ehrhardt Rd,Pearl River, NY 10965
392489	64.18-1-80	Thomas D Roeder	9 Merritt Dr,Nanuet, NY 10954
392489	64.18-1-82	Michael Maguire	418 Ehrhardt Rd,Pearl River, NY 10965
392489	64.18-1-78.1	Christian Martinez	29 Merritt Dr,Nanuet, NY 10954
392489	64.18-1-78.2	James Merritt	412 Ehrhardt Rd,Pearl River, NY 10965
392489	64.18-1-78.3	Paul O'Brien	17 Merritt Dr,Nanuet, NY 10954
392489	64.18-1-78.4	Julie A Cantone	26 Merritt Dr,Nanuet, NY 10954
392489	64.18-1-78.5	Nunziato Miuccio	16 Merritt Dr,Nanuet, NY 10954

29 Merritt Dr



OFFICE OF BUILDING, ZONING, PLANNING,
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD • ORANGETOWN, NEW YORK 10962

Jane C. Slavin, R.A.
Director

(845)359-8410

Fax: (845)359-8526

VIOLATION NOTICE

June 3, 2020

Mr. Christian Martinez
29 Merritt Drive,
Nanuet, NY 10954

Dear Mr. Martinez,

I received a complaint involving your property located at 29 Merritt Drive, Nanuet, NY 10954. I made an inspection on June 3, 2020 at 10:29 AM and observed a fence being constructed in your front yard along Ehrhardt Road taller than 4 ½ feet. This is a violation of Chapter 43 Section 5.226 of the Orangetown Zoning Code.

5.2 Exceptions to bulk regulations.

5.226.

Fences and walls. Except as provided in § 5-225, a fence or freestanding wall not more than 4 1/2 feet in height is permitted within a required front yard. A fence over the six-foot height is permitted in the side and rear yards, provided that it is set back from the lot line a distance equal to 2/3 its height. Fence height shall be measured from average finished grade in the adjacent area as determined by the Building Inspector. Walls over six feet high shall conform to the height regulations of § 3.12. A building permit is required for all fences and walls, except fences six feet high or less for a residential lot for a single-family or two-family dwelling.

Please contact me within five days at (845) 359-8410 extension 4301 so we can discuss this further.

Failure to do so will result in further action by this office.

Very truly yours,

Christian Catania
Code Enforcement Officer

CC: Michael Acheson



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: June 17, 2020

Applicant: Martinez

Address: 29 Merritt Dr, Nauet, NY

RE: Application Made at: same

Chapter 43, Section 5.226... 6' Fence allowed in side and rear yards with front yard proposed

1 variance required

Section: 64.18

Block: 1

Lot: 78.1

Dear Martinez:

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

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

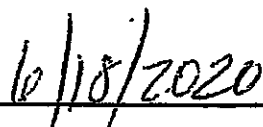
In Accordance with Zoning, Chapter 43 Section 10.322 the time to appeal a determination of a Building Inspector or Similar administrative office is thirty (30) days from the filing of such a determination with the Town Clerk.

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

Sincerely,


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

2020
20.

**PERMIT EXPIRES TWO (2) YEARS FROM DATE OF ISSUANCE.
TWO SIX (6) MONTH EXTENSIONS MAY BE GRANTED PRIOR TO EXPIRATION DATE.
APPLICATION FOR BUILDING / DEMOLITION PERMIT**

TOWN OF ORANGETOWN
20 Greenbush Road, Orangetown, NY 10962 Phone: (845) 359-8410 Fax: (845) 359-8526

ZONE: <u>R-15 (GMU)</u> OFFICIAL USE ONLY		ACREAGE: <u>.47</u>	
Inspector: <u>Dem</u>	Date App Received: <u>6-11-2020</u>	Received By: <u>[Signature]</u>	
Permit No. <u>50153</u>		Date Issued: _____	
CO No. _____		Date Issued: _____	
Permit Fee: <u>\$222.1</u>	Ck# <u>124</u>	Paid By: <u>Christian Martinez</u>	
GIS Fee: <u>20.</u>	Ck# <u>130</u>	Paid By: <u>Christian Martinez</u>	
Stream Maintenance Fee	Ck# _____	Paid By: _____	
Additional Fee: _____	Ck# _____	Date Paid: _____	Paid By: _____
1 st 6 mo. Ext.: _____	Ck# _____	Exp. Date: _____	Paid By: _____
2 nd 6 mo. Ext.: _____	Ck# _____	Exp. Date: _____	Paid By: _____

APPLICANT COMPLETES:

Notes: See inside for instructions for completing this application.

PAGES 2, 3 and PAGE 4 must be reviewed and PAGES 3 & 4 must be signed by the applicant.

Property Location: 29 MORRITT DRIVE NANUET, NY 10954

Section: 6418 Block: 1 Lot: 78.1

Property Owner: CHRISTIAN MARTINEZ

Mailing Address: 29 MORRITT DRIVE, NANUET, NY 10954

Email: dlcn1726@gmail.com Phone #: 646-825-1052

Lessee (Business Name): _____

Mailing Address: _____

Email: _____ Phone #: _____

Type of Business / Use: _____

Contact Person: Christian Martinez Relation to Project: Owner

Email: dlcn1726@gmail.com Phone #: 646-825-1052

Architect/Engineer: _____ NYS Lic # _____

Address: _____ Phone #: _____

Builder/General Contractor: Homeowner RC Lic # _____

Address: _____ Phone #: _____

Plumber: _____ RC Lic # _____

Address: _____ Phone #: _____

Electrician: _____ RC Lic # _____

Address: _____ Phone #: _____

Heat/Cooling: _____ RC Lic # _____

Address: _____ Phone #: _____

Existing use of structure or land: Primary Residence

Proposed Project Description: Install 6' high fence around side and back yard. Part of side yard faces Orchardt road & requires permit, corner property.

Proposed Square Footage: 148 LF Estimated Construction Value (\$): 4500

BUILDING DEPARTMENT COMPLETES BELOW

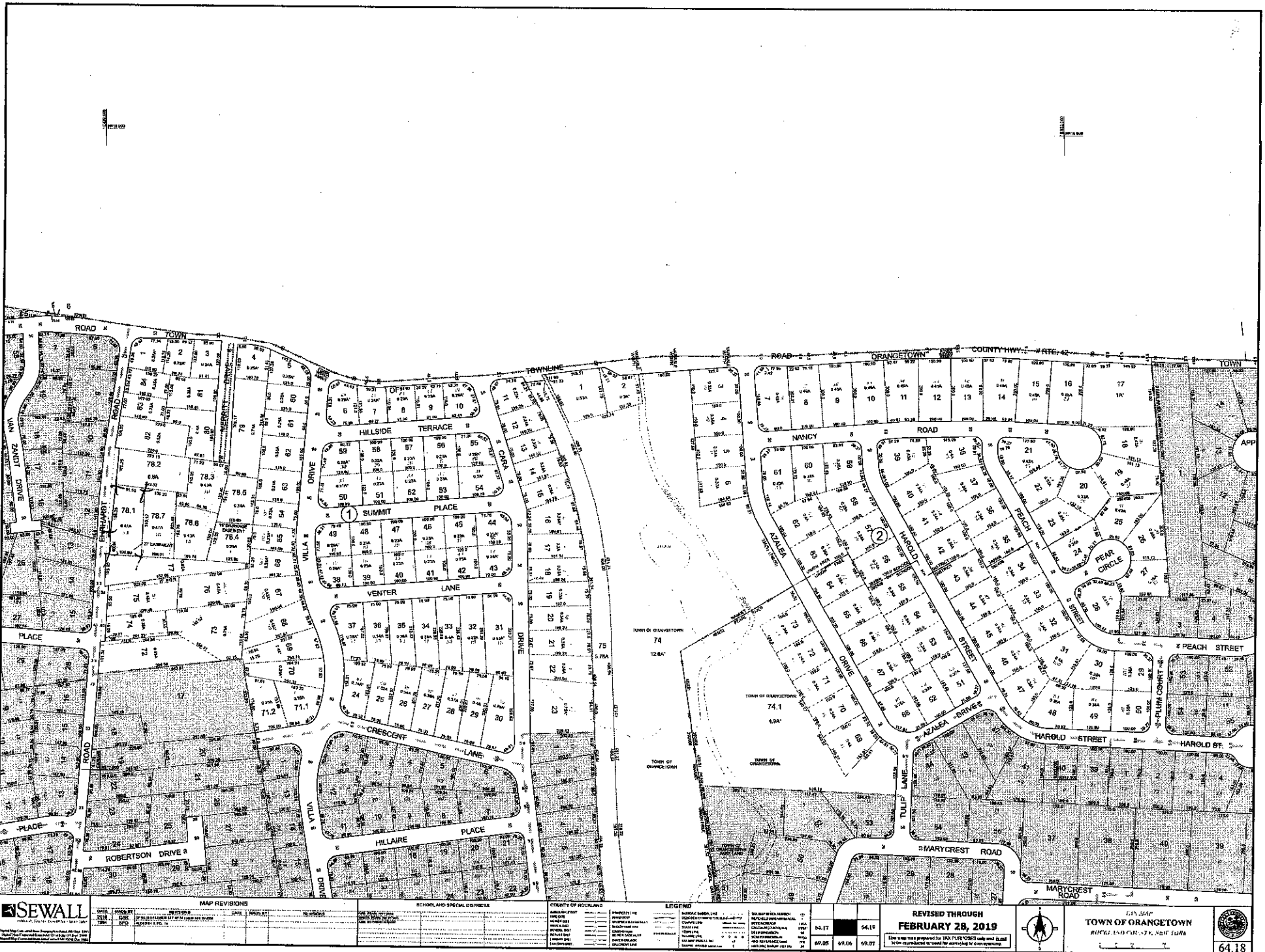
PLANS REVIEWED: _____

PERMIT REFERRED / DENIED FOR: _____

Chapter 43, Section 5.226... 6' fence permitted on side and rear yard with spot yard proposed. Variance required.

[Signature] 6/17/2020 [Signature] 6/18/2020

FOR OFFICE USE ONLY SECTION BLOCK LOT NAME PERMITS



SEWALL
 ENGINEERS & ARCHITECTS
 10000 W. PALM BLVD., SUITE 200
 PALM BEACH, FL 33411
 TEL: 561-833-1100
 FAX: 561-833-1101
 WWW.SEWALL.COM

MAP REVISIONS

NO.	DATE	DESCRIPTION
1	02/28/19	ISSUED FOR RECORD

SCHOOL AND SPECIAL DISTRICTS

DISTRICT	BOUNDARY
ORANGETOWN	...
...	...

COUNTY OF ROCKLAND

PROPERTY	BOUNDARY
...	...

LEGEND

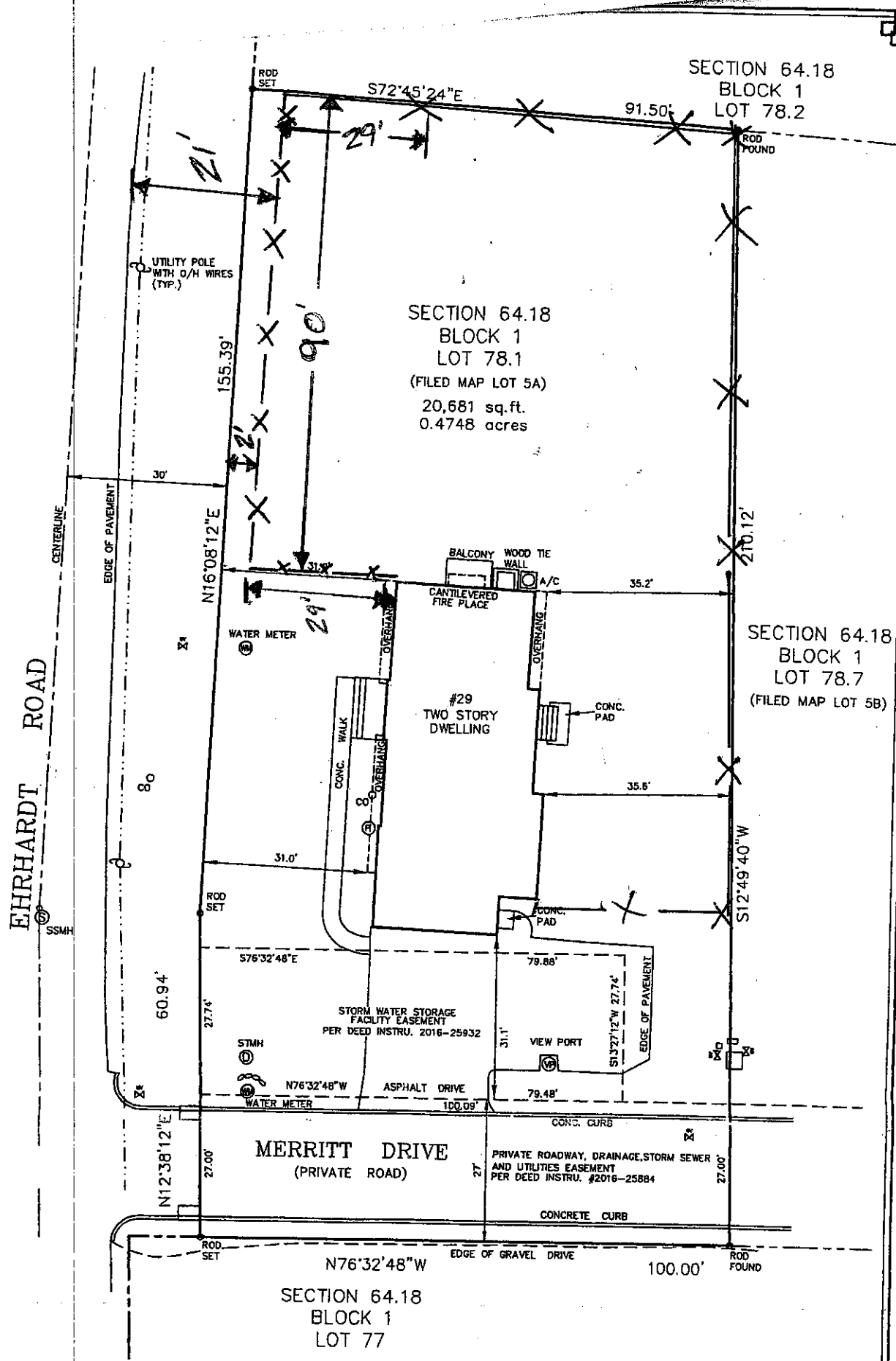
SYMBOL	DESCRIPTION
...	...

REVISED THROUGH
FEBRUARY 28, 2019

NO.	DATE	DESCRIPTION
64.17	04.19	...
64.25	04.26	...
64.27	04.27	...

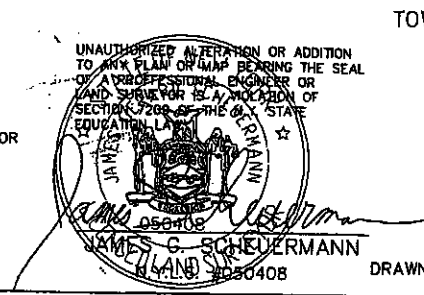


TOWN OF ORANGETOWN
 ROCKLAND COUNTY, FLORIDA



CERTIFICATION:
THIS SURVEY IS SPECIFICALLY
CERTIFIED TO:
First American Title Insurance Company
Christian Martinez and Doraliza Martinez
Hudson United Mortgage LLC
its successors and/or assigns

BOUNDARY SURVEY
FOR
**SECTION 64.18 - BLOCK 1
LOT 78.1**
MERRITT ESTATES
TOWN OF ORANGETOWN - ROCKLAND COUNTY - NEW YORK



PREPARED BY
JAMES G. SCHEUERMANN
LAND SURVEYOR
19 HOYT ROAD
WARWICK, NEW YORK 10990
(845)-987-4347 JGSCHUEMANN@GMAIL.COM

- SURVEY NOTES:**
1. COPIES OF THIS SURVEY NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID.
 2. EASEMENTS OR RIGHTS-OF-WAYS ON OR UNDER THESE LANDS AND NOT VISIBLE ARE NOT SHOWN.
 3. THIS PROPERTY AND SURVEY ARE SUBJECT TO THE FINDINGS OF A CURRENT TITLE REPORT.
 4. MAP REFERENCE: "MINOR SUBDIVISION PLAT FOR MERRITT..." FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE AS MAP #8330 ON SEPT. 23, 2016.

UNAUTHORIZED ALTERATION OR ADDITION TO ANY PLAT OR MAP BEARING THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 7208 OF THE N.Y. STATE EDUCATION LAW.
JAMES G. SCHEUERMANN
#250408

DRAWN BY: JGS SCALE: 1"=20' DATE: SEPT. 18, 2019 JOB #2566 DWG #2566L1A

ZONING BOARD OF APPEALS
Meeting On:
OCT 21 2020
Town Of Orangetown

Legend

— X — Fence, 6' high

↔ Dimensions for area requiring permit

Prepared by (mark up)
Christian Martinez
6/11/2020

Project Description: Install 6' high fence around side and back yard on 29 Merritt Drive (corner property).