

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW - MEETING OF JANUARY 7, 2016**

MEMBERS PRESENT: Blythe Yost, Vice-Chairperson; Bruce Jensen; Brian Terry; Andrew Andrews, and Brian Aitcheson

MEMBERS ABSENT: Deborah Stuhlweissenburg

ALSO PRESENT: Rick Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

Blythe Yost, Vice-Chairperson, called the meeting to order at 7:30 p.m. Ms Yost read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below.

Fiesta Mexico Plan Review of Outdoor Dining Plan 380 Route 303, Orangeburg 74.11/1/7; CC zoning district	Approved as Presented	ACABOR #16-01
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319 Blauvelt Road Subdivision Review of Subdivision Plan 319 Blauvelt Road, Pearl River 69.09/5/74; R-15 zoning district	Approved Subject to Conditions	ACABOR #16-02
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Brightview Senior Living Lake Tappan Plans Review of Site/ Landscaping/Structure Plans 31 Hunt Road, Pearl River 73.15/1/10; R-80 zoning district	Approved Subject to Conditions	ACABOR #16-03
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A motion was made to adjourn the meeting by Blythe Yost and seconded by Andrew Andrews and agreed by all in attendance. The Decisions on the above hearings, which Decisions are made by the Board before the conclusion of the meeting, are mailed to the applicant. The verbatim minutes are not transcribed, but are available. As there was no further business before the Board, the meeting was adjourned at 8:30 p.m. The next ACABOR Meeting is scheduled for January 21, 2016.

Dated: January 7, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions



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2016 JAN 13 PM 2 00
TOWN OF ORANGETOWN

ACABOR #16-01: Fiesta Mexico Outdoor Dining - Approved as Presented

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

January 7, 2016

Page 1 of 2

TO: Alfredo Zaldivar, 380 Route 303, Orangeburg, New York 10962
FROM: Architecture and Community Appearance Board of Review

RE: Fiesta Mexico Outdoor Dining Plan: Application of Patricia Zaldivar, applicant, for Alfredo Zaldivar, owner, for the review of an Outdoor Dining Plan, at a site known as “**Fiesta Mexico Outdoor Dining Plan**”, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 380 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.11, Block 1, Lot 7; in the CC zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, January 7, 2016**, at which time the Board made the following determinations:

Patricia Zaldivar appeared and testified.

The Board received the following items:

- A.** Photographs of the railing, umbrellas, furniture, and paving used at the outdoor dining area.
- B.** Site Plan depicting location of outdoor dining area in relation to existing restaurant.

FINDINGS OF FACT:

1. The Board found that the applicant presented photographs and a hand drawn layout of the outdoor dining area. The applicants stated that they purchased the building with the existing outdoor patio and have used it for many years. Recently, the Town of Orangetown Building’s Department informed them that they required Outdoor Dining Permits to continue the operation of the outdoor seating area. Permit approval was required from both the Zoning Board of Appeals and the Architecture and Community Appearance Board of Review.
2. The Board found that the applicant applied for and obtained the required Outdoor Dining Variance at the January 6, 2016 Town of Orangetown Zoning Board of Appeals Meeting as ZBA #15-101.
3. The Board found that the furniture used at the outdoor dining area included solid black colored and mosaic decorative tables, black chairs and blue and pink umbrellas. A water feature/fountain enhanced the site.
4. The Board found that there were no residences abutting the outdoor dining area.
5. The Board found that parking cars may encroach upon the seating area and suggested placing railing, bollards or extending the existing brick wall to deter cars from entering the dining area.

The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

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2016 JAN 13 PM 2 00

TOWN OF ORANGETOWN

ACABOR #16-01: Fiesta Mexico Outdoor Dining - Approved as Presented

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

January 7, 2016

Page 2 of 2

DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED AS PRESENTED.**

The foregoing resolution was presented and moved by Brian Terry and seconded by Blythe Yost and carried as follows: Blythe Yost, Vice-Chairperson, aye; Andrew Andrews, aye; Brian Terry, aye; Bruce Jensen, aye; Brian Aitcheson, aye, and Deborah Stuhlweissenburg, absent.

The Clerk to the Board is hereby authorized, directed and empowered to sign this *Decision* and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

Dated: January 7, 2016

Cheryl Coopersmith

Chief Clerk Boards and Commissions

TOWN CLERKS OFFICE

2016 JAN 13 PM 2 00

TOWN OF ORANGETOWN

ACABOR #16-02: 319 Blauvelt Road Subdivision Plan: Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

January 7, 2016

Page 1 of 2

TO: Donald Brenner, 4 Independence Avenue, Tappan,
New York, 10983
FROM: Architecture and Community Appearance Board of Review

RE: 319 Blauvelt Road Subdivision Plan: The application of Jay Theise, applicant, for Joseph Rooney, owner, (Donald Brenner, attorney for the applicant), for the review of a 2 lot Subdivision Plan at a site to be known as “**319 Blauvelt Road Minor Subdivision Plan**”, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 319 Blauvelt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.09, Block 5, Lot 74; in the R-15 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, January 7, 2016**, at which time the Board made the following determinations:

Donald Brenner, Joseph Rooney, Jay Greenwell and Jay Theise appeared and testified. The Board received the following items:

A. Subdivision Plans prepared by Jay Greenwell, PLS dated July 30, 2015:

- Drawing 1 of 2: Subdivision of Property, revised December 14, 2015
- Drawing 2 of 2: Grading, Drainage & Utility Plan with Erosion Control, revised November 17, 2015
- Screening Exhibit for Common Driveway

B. Material Sheet, signed by Joseph Rooney, dated November 19, 2015.

C. Planning Board Decision #15-50, Preliminary Subdivision Plan Approval Subject to Conditions/ Neg. Dec., dated October 14, 2015 and ZBA #15-97, dated November 4, 2015 for Lot Area and Lot Width Variances for Lot #1 and Street Frontage Variance for Lot #2, Approved.

FINDINGS OF FACT:

1. The Board found that this application is reviewing only the subdivision of property and not reviewing or approving site or architectural plans.
2. The Board found that the individual sites and houses would be reviewed at the time each lot would be developed.
3. The Board found that the applicant appeared at the Town of Orangetown Planning Board Decision #15-50, Preliminary Subdivision Plan Approval Subject to Conditions/ Neg. Dec., dated October 14, 2015 and ZBA #15-97, dated November 4, 2015 for Lot Area and Lot Width Variances for Lot #1 and Street Frontage Variance for Lot #2.

The hearing was then opened to the Public.

TOWN CLERKS OFFICE

2016 JAN 13 PM 2 00

TOWN OF ORANGETOWN

ACABOR #16-02: 319 Blauvelt Road Subdivision Plan: Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

**January 7, 2016
Page 2 of 2**

Public Comment:

James Reilly, 144 East Central Avenue, Pearl River, representing the abutting property owner, Amabile, at 323 Blauvelt Road, raised concerns regarding the orientation of the proposed house on Lot #1. Mr. Reilly held that the orientation of the proposed house on the front lot would derogate the value of the neighborhood properties.

Michael Amabile, a professional Planner, representing his parents, residents of 323 Blauvelt Road, raised concerns regarding the orientation of the house on Lot #1. He noted that flag lots do not exist on his parent's side of Blauvelt Road. Mr. Amabile held that having the orientation of the proposed house toward his parent's lot line would change the street scape of Blauvelt Road as well as have their privacy compromised. He requested that the front of the house be rotated to Blauvelt Road or that the house be designed to have Blauvelt Road as the front entryway.

There being no one else to be heard from the public, the Public Hearing portion of the meeting was closed.

DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Prior to any construction, grading or removal of trees on the site, the applicant must return to ACABOR for review and approval of any construction on the site.
2. This application is reviewing only the subdivision of property and not reviewing or approving site or architectural plans.
3. Trees to be saved shall be protected with snow fencing to the drip line during construction
4. No grading is to take place within five feet of any property line, except as specified on the approved site plan.
5. The applicant shall comply with the requirements of Section 21-25 of the Town of Orangetown Shade Tree Ordinance.

The foregoing resolution was presented and moved by Blythe Yost and seconded by Brian Aitcheson and carried as follows:, Blythe Yost, Vice-Chairperson, aye; Andrew Andrews, aye; Brian Terry, aye, Bruce Jensen, aye; Brian Aitcheson, aye, and Deborah Stuhlweissenburg, absent.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **Decision** and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Dated: January 7, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions**

TOWN CLERK'S OFFICE
2016 JAN 13 PM 2 00
TOWN OF ORANGETOWN

ACABOR #16-03: Brightview Senior Living Lake Tappan Site, Structure, and Landscaping Plans: Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

January 7, 2016

Page 1 of 4

TO: Donald Brenner, 4 Independence Avenue, Tappan, New York 10983

FROM: Architecture and Community Appearance Board of Review

RE: Brightview Senior Living Lake Tappan Plans: The application of Shelter Development LLC, applicant for Hegarty Homes, owner, (Donald Brenner, attorney for the owner), for the review of Site, Landscaping and Structure Plans at a site to be known as **“Brightview Senior Living Lake Tappan Plans”**, in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 31 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 10; in the R-80 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, January 7, 2016**, at which time the Board made the following determinations:

Donald Brenner, Diego Villareale, Bonita Cook and Maria Miller appeared and testified for the applicant. The Board received the following items:

A. Site Plans prepared by JMC Site Development Consultants dated June 8, 2015, last revision date of December 17, 2015:

- PSP-1: Cover Sheet
- PSP-2: Site Existing Conditions Plan
- PSP-3: Preliminary Site Layout Plan
- PSP-4: Preliminary Site Grading Plan
- PSP-5: Preliminary Site Utility Plan
- PSP-6: Preliminary Site Erosion and Sediment Control Plan
- PSP-7: Preliminary Site Landscaping Plan
- PSP-8: Preliminary Site Landscaping Plan
- PSP-9: Site Lighting Plan
- PSP-10: Construction Details
- PSP-11: Construction Details
- PSP-12: Construction Details
- PSP-13: Construction Details
- PSP-13: Construction Details
- PSP-13: Construction Details

TOWN CLERKS OFFICE
2016 JAN 13 PM 2 00
TOWN OF ORANGETOWN

ACABOR #16-03: Brightview Senior Living Lake Tappan Site, Structure, and Landscaping Plans: Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

January 7, 2016

Page 2 of 4

B. Architectural Plans prepared by JAL Architecture and Engineering P.C., dated December 17, 2015:

- First Floor Plan
- Second Floor Plan
- Third Floor Plan
- Roof Plan
- Sheet 01: Exterior Elevation
- Sheet 02: Exterior Elevation
- Sheet 03: Exterior Elevation
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C. Proposal of Exterior Finishes, Brightview Senior Living – Lake Tappan, New York, dated December 17, 2015, prepared by JAL Architecture and Engineering, P.C.

D. Material Sheet dated December 16, 2015.

E. Copies of Board Decision: PB #15-40, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec. dated September 9, 2015 and ZBA #15-90, Special Permit, Front Yard, Rear Yard, Parking Spaces per Bed, Floor Area Ratio, Sign Size and Location: Variances Approved, dated November 18, 2015.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to construct an assisted senior housing development, consisting of 140 apartments. The site is located at the intersection of Hunt Road and Orangeburg Road on Lake Tappan, Orangeburg. The developer would be improving the abutting property along Hunt Road with parking spaces for the American Legion, and Town of Orangetown Little League and soccer ball fields and park lands are located nearby.
2. The Board found that the applicant has obtained the needed zoning variances from the Town of Orangetown Zoning Board on November 18, 2015 and Preliminary Site Plan Approval Plan Approval from the Planning Board on September 9, 2015.
3. The Board found that the proposed structures would be as follows:
 - a. Vinyl siding in two colors, 7" shingle style in Northwoods in Autumn Red and 4" Clapboard Style in Monogram in Natural Clay, both manufactured by Certainteed, or equal.
 - b. Decorative stonework placed as noted on the submitted Exterior Elevation Plans, manufactured by Eldorado Stone in Shadow Rock Series in Teton and the mortar would be 80x DH Chocolate, or equal.

TOWN CLERKS OFFICE

2016 JAN 13 PM 2 00

TOWN OF ORANGETOWN

ACABOR #16-03: Brightview Senior Living Lake Tappan Site, Structure, and Landscaping Plans: Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

January 7, 2016

Page 3 of 4

- c. Roof in asphalt shingles, manufactured by Certainteed in Pewterwood, or equal. The flat roof area would be white and the Turret roof would be standing seam in light bronze.
 - d. Windows in white and the decorative picture windows would be white.
 - e. Main entry door in Mahogany and the Balcony Doors would be white.
 - f. Railing system manufactured by Certainteed, or equal, and the color in white. The deck system would be manufactured by Enduris Endeck System, or equal. Trim would be Azek, or equal, and PVC in white, autumn, red and natural clay. Decorative Columns would be Azek Column Wrap, or equal.
4. The Board found that the exterior lighting would be Kichler Lighting Salisbury Wall Lantern, or equal, in Black located at the Main entry and balcony doors, secondary entry doors and where applicable. Three foot high Bollard lighting and 16 foot high Luminaires would be placed at various locations along the sidewalks, driveway and parking lot area, as noted on the submitted plans.
 5. The Board found that the landscaping plan presented significant planting on the site, which included three landscaped garden areas for use by the residents. The Board commended the applicant on the proposed gardens, landscaping and the residential feel of the building design.

The hearing was then opened to the Public.

Public Comment

Thomas Warren, 49 Minuteman Circle, member of the American Legion Post and Member of the Town of Orangetown Planning Board, stated that Brightview has been very accommodating to the American Legion and has met with the Post to discuss all concerns. One of their concerns was the installation of speed bumps on Hunt Road as a potential maintenance issue. They resolved the problem by having the Little League install temporary speed bumps for their season, rather than permanent bumps. Also, upon the suggestion of the Post, the applicant is installing a third gate between the two sites, for easier access to the building in the event of an emergency.

Dennis Scherer, 599 Orangeburg Road, member of the American Legion Post, stated his support for the proposed project.

Don O'Neil, 466 Orangeburg Road, wanted to make sure that the property owner of Tax Lot #73.15-1-11 was contacted and that they were aware that development was occurring close to their property.

There being no one else to be heard from the public, the Public Hearing portion of the meeting was closed.

TOWN CLERKS OFFICE

2016 JAN 13 PM 2 00

TOWN OF ORANGETOWN

ACABOR #16-03: Brightview Senior Living Lake Tappan Site, Structure, and Landscaping Plans: Approved Subject to Conditions

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

**January 7, 2016
Page 4 of 4**

DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The Board found that the proposed structures will be as follows:
 - a. Vinyl siding in two colors, 7" shingle style in Northwoods in Autumn Red and 4" Clapboard Style in Monogram in Natural Clay, both manufactured by Certainteed, or equal.
 - b. Decorative stonework placed as noted on the submitted Exterior Elevation Plans, manufactured by Eldorado Stone in Shadow Rock Series in Teton and the mortar will be 80x DH Chocolate, or equal.
 - c. Roof in asphalt shingles, manufactured by Certainteed in Pewterwood, or equal. The flat roof area will be white and the Turret roof will be standing seam in light bronze.
 - d. Windows in white and the decorative picture windows will be white.
 - e. Main entry door in Mahogany and the Balcony Doors will be white.
2. The exterior lighting will be Kichler Lighting Salisbury Wall Lantern, or equal, in Black located at the Main entry and balcony doors, secondary entry doors and where applicable. Three foot high Bollard lighting and 16 foot high Luminaires will be placed at various locations along the sidewalks, driveway and parking lot area, as noted on the submitted plans.
3. Trees to be saved shall be protected with snow fencing to the drip line during construction
4. No grading is to take place within five feet of any property line, except as specified on the approved site plan

The foregoing resolution was presented and moved by Andrew Andrews and seconded by Bruce Jensen carried as follows; Blythe Yost, Vice-Chairperson, aye; Deborah Stuhlweissenburg, absent; Bruce Jensen, aye; Brian Terry, aye, and Andrew Andrews, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **Decision** and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Dated: January 7, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions**

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2016 JAN 13 PM 2 00
TOWN OF ORANGETOWN