

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW - MEETING OF OCTOBER 15, 2015**

MEMBERS PRESENT: Jill Fieldstein, Chairperson; Bruce Jensen; Brian Terry, Andrew Andrews and Deborah Stuhlweissenburg

Member Absent: Blythe Yost, Vice-Chairperson and Brian Aitcheson

Also Present: Richard Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

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

Wendy's Sidewalk Dining Plans

Review of Outdoor Dining Area
3 Route 303, Tappan
77.15/1/34; CS zoning District

ACABOR #15-49

**Approved
as Presented**

Chung Plans

Review of Site and Landscaping Plans
Palisades Historic District
250 Route 9W, Palisades
78.17/2/18; R-40 zoning district

ACABOR #15-50

**Postponed
November 19, 2015
Meeting**

A motion was made to adjourn the meeting by Jill Fieldstein and seconded by Bruce Jensen 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 7:45 p.m. The next ACABOR Meeting is scheduled for November 5, 2015.

**Dated: October 15, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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2015 OCT 19 PM 1 21

TOWN OF ORANGETOWN

ACABOR #15-49: Wendy's Sidewalk Dining Plans – Approved as Presented
Town of Orangetown Architecture and Community Appearance Board of
Review Decision
Page 1 of 2

TO: Greg Dunn, 83 Spring Hill Circle, Wayne, New Jersey 07470
FROM: Architecture and Community Appearance Board of Review

RE: ACABOR #15-49: Wendy's Sidewalk Dining Plans - The application of Westrock, LLC, applicant for Oak Tree Plaza, Inc., owner, for the review of Outdoor/ Sidewalk Dining Plans, at a site known as **"Wendy's Sidewalk Dining 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 3 Route 303, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map: Section 77.15, Block 1, Lot 34; CS zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, October 15, 2015**, at which time the Board made the following determinations:

Greg Dunn appeared and testified.

The Board received the following items:

1. Plan entitled Proposed signage and outdoor seating for Wendy's Store, Plans prepared by Edward Chudzinski, R.A., dated September 30, 2014:
 - a. A-1: Site Plan
 - b. A-2: Elevations and Partial Floor Plan
 - c. A-3: Sign Elevations and Table Plan

FINDINGS OF FACT:

1. The Board found that the application is for the Sidewalk Dining area. The sign that is represented on the plan will not be constructed due to the high cost of construction.
2. The Board found that the tables and chairs are existing, since the applicant was unaware that a permit was required for outdoor dining. At this time, he is correcting the situation by applying for a permit and appearing in front of ACABOR.
3. The Board found that the applicant placed 4 tables with chairs at the outdoor dining area, located 70 feet off the roadway. There is a trash receptacle on the patio next to the building and by the drive thru area. The surface of the dining area is concrete.
4. The Board found that there is sufficient existing outdoor lighting in the area and no new lighting would be added for the outdoor dining use.

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.

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

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2015 OCT 19 PM 1 21

TOWN OF ORANGETOWN

**ACABOR #15-49: Wendy's Sidewalk Dining Plans – Approved as Presented
Town of Orangetown Architecture and Community Appearance Board of
Review Decision
Page 2 of 2**

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Bruce Jensen and carried as follows; Jill Fieldstein, Chairperson, aye; Blythe Yost, Vice-Chairperson, absent; Deborah Stuhlweissenburg, aye; Andrew Andrews, aye; Brian Terry, aye; Bruce Jensen, aye and Brian Aitcheson, 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: October 15, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



TOWN OF ORANGETOWN
2015 OCT 19 PM 1 21
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