

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW - MEETING OF OCTOBER 2, 2014**

MEMBERS PRESENT: Blythe Yost, Vice Chairwomen; James Dodge, Jill Fieldstein, Deborah Stuhlweissenburg, Andrew Andrews; and Stephen Sweeney
MEMBERS ABSENT: None

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

Blythe Yost called the meeting to order at 7:30 PM and read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below.

SNT Futures Façade Improvements **ACABOR #14 - 24**
Review of Façade Improvement Plan **Approved**
68.20/1/48; CO zoning district **as Presented**

Ariyan Tennis Court Lighting Plan **ACABOR #14 - 25**
Review of Lighting Plan **Approved**
Manhattan Woods Subdivision **as Presented**
69.07/1/10.10; R-80 zoning district

Forde Structure/Site Plans **ACABOR #14 - 26**
Review of Structure/Site Plans **Approved**
70.09/2/10; R-40 zoning district **as Presented**

D'Vine Bar Sign Plan **ACABOR #14 - 27**
Review of Sign Plan **Approved**
77.08/4/25; CS zoning district **as Presented**

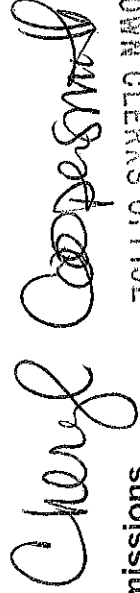
Continued from the September 18, 2014 Meeting
Hess Water System – Generator Screening Plan **ACABOR #14 - 21**
Review of Generator Screening Plan
Critical Environmental Area **Approved**
71.13-1-35; R-22 zoning district **as Presented**

A motion was made and moved to go into Executive Session by Blythe Yost and seconded by James Dodge and carried as follows: James Dodge, aye; Jill Fieldstein, aye; Blythe Yost, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney aye; and Andrew Andrews aye.

A motion was made and moved to close the Executive Session by Blythe Yost and seconded by James Dodge and carried as follows: James Dodge, aye; Jill Fieldstein, aye; Blythe Yost, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney aye; and Andrew Andrews aye.

A motion was made to adjourn the meeting by James Dodge and seconded by Blythe Yost 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 9:00 PM. The next ACABOR Meeting is scheduled for October 16, 2014.

Dated: October 2, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN CLERKS OFFICE

2014 OCT 6 PM 12:07

TOWN OF ORANGETOWN

**ACABOR #14-24: SNT Futures Façade Improvements – Approved
as Presented**

**Town of Orangetown – Architecture and Community Appearance
Board of Review Decision
October 2, 2014
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TO: Todd Askenas, 13 North Main Street, Pearl River, New York 10965
FROM: Architecture and Community Appearance Board of Review

RE: SNT Futures Façade Improvement Plan: The application of Todd Askenas, applicant for SNT Futures, owner, for the review of a Façade Improvement Plan at a site to be known as **“SNT Futures Façade Improvement 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 67 South Main Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.20, Block 1, Lot 48 in the CO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, October 2, 2014**, at which time the Board made the following determinations:

Todd Askenas, Scott Coltcie and Kier Levesque appeared and testified for the applicant.

The Board received the following items:

A. Architectural Plans prepared by Kier Levesque, R.A.:

A-2: Floor Plan, dated May 1, 2014, last revised August 15, 2014

A-3: Elevations, dated August 1, 2014

A-4: Elevations, dated August 1, 2014

B. Material Sheet dated September 9, 2014, signed by Kier Levesque, R.A.

C. ZBA #12-76, Side Yard and Building Height Zoning Variances.

FINDINGS OF FACT:

1. The Board found that the project consisted of new window framing and stucco on an existing structure. The main façade stucco will be painted with Benjamin Moore Affinity in Refinado (taupe color) with trim and quoins in Benjamin Moore Classic Colors in Iron Gate (dark beige color).
2. The Board found that the existing building lighting is to remain, no new lighting.
3. The Board found that no new landscaping would be added to the site.

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.

TOWN CLERKS OFFICE

2014 OCT 8 PM 12 07

TOWN OF ORANGETOWN

ACABOR #14-24: SNT Futures Façade Improvements – Approved as Presented

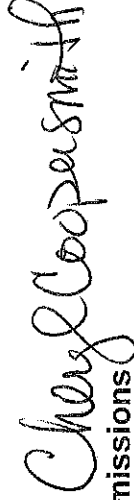
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DECISION: In view of the foregoing and the testimony before the Board, the application was APPROVED AS PRESENTED:

The foregoing resolution was presented and moved by Stephen Sweeney and seconded by James Dodge and carried as follows; James Dodge, aye; Jill Fieldstein, aye; Blythe Yost, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney 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: October 2, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN CLERKS OFFICE

OCT 9 PM 12 08

TOWN OF ORANGETOWN

**ACABOR #14-25: Ariyan Tennis Court Lighting Plan - Approved
as Presented**

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

**October 2, 2014
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TO: Pete Proulx Landscaping, 23 Contractors Road, Tuxedo Park, New
York 10987
FROM: Architecture and Community Appearance Board of Review

RE: Ariyan Tennis Court Lighting Plan: The application of Pete Proulx
Landscaping, applicant, for Haig and Nadine Ariyan, owners, for the review of a
Tennis Court Lighting Plan at a site to be known as “**Ariyan Tennis Court
Lighting Plan**”, located in the Manhattan Woods Subdivision, 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 1 Legends Boulevard,
West Nyack, Town of Orangetown, Rockland County, New York, and as shown
on the Orangetown Tax Map as Section 69.07, Block 1, Lot 10.10 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, October 2, 2014**, at
which time the Board made the following determinations:

Pete Proulx and Haig Ariyan appeared and testified.

The Board received the following items:

A. Plans prepared by Conrad Pitilli, R.A., dated April 14, 2014, revised on August
14, 2014:

SP-1: Site Plan

SP-3: Tennis Court Lighting Specifications

B. Exterior Building Material Specifications, dated August 21, 2014 signed by
Haig and Nadine Ariyan.

FINDINGS OF FACT:

1. The Board found that the tennis court is existing and the applicant
proposed to add lighting. The lighting consisted of four 2-head flood lights
on 25' tall light poles. The applicant presented photographs of the site,
noting that the existing trees created a buffer between the court and the
street.
2. The Board found that the lighting from the tennis court dissipated at the
edges of the site and that there was no spillage of light on areas around
the court.
3. The Board found that the court would mostly be used during the daytime
hours with some usage at nighttime.
4. The Board found that there was no public objection or comments at the
meeting.

TOWN CLERKS OFFICE

OCT 6 PM 12:08

TOWN OF ORANGETOWN

ACABOR #14-25: Ariyan Tennis Court Lighting Plan - Approved as Presented

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

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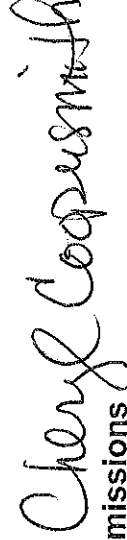
The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

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

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by James Dodge and carried as follows: Blythe Yost, aye; James Dodge, aye; Jill Fieldstein, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney 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: October 2, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN OF ORANGETOWN
2014 OCT 9 PM 12:08
TOWN CLERK'S OFFICE

ACABOR #14-26: Forde Structure/Site Plan- Approved Subject to Conditions

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

October 2, 2014
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TO: Sharon Reilly and Thomas Forde, 111 Sunset Road, Blauvelt,
New York 10913

FROM: Architecture and Community Appearance Board of Review

RE: Forde Structure/Site Plans: The application of Thomas Forde and Sharon Reilly, owners, for the review of Structure/Site Plans at a site to be known as **“Forde Structure/Site 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 111 Sunset Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.09, Block 2, Lot 10 in the R-40 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, October 2, 2014**, at which time the Board made the following determinations:

Sharon and Thomas Forde appeared and testified.

The Board received the following items:

A. Site Plan prepared by Jonathan Hodosh, R.A., dated August 8, 2014, last revised September 2, 2014

B. Architectural Plans prepared by Jonathan Hodosh, R.A., dated July 30, 2014, last revised September 2, 2014:

D1: Existing Foundation Plan

A1: Foundation Plan

A2: Lower Level Plan

A3: Upper Level Plan

A4: Front Elevation

A5: Right Elevation

A6: Rear Elevation

A7: Left Elevation

A8: Section A-A

E1: Lower Level Electrical Plan

E2: Upper Level Electrical Plan

GN: General Notes

A2.0: First Floor Plan & Second Floor Plan

C. Material Sheet, signed by Thomas Reilly, dated September 7, 2014

D. Submitted at the meeting, photographs of the site noting existing trees and vegetation.

TOWN CLERKS OFFICE

2014 OCT 6 PM 12:08

TOWN OF ORANGETOWN

**ACABOR #14-26: Forde Structure/Site Plan- Approved Subject to Conditions
Town of Orangetown – Architecture and Community Appearance Board of Review Decision**

**October 2, 2014
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FINDINGS OF FACT:

1. The Board found that the proposed house would have four sides of Hardiplank siding in Wicker color, manufactured by Allure. Decorative stone in New England Stone – Granite Vineyard, would be place along the foundation and as noted on the elevations of the house. The roof would be Black Walnut, manufactured by Tamko.
2. The Board found that the trim and entry door would be white. The garage doors would be carriage style in a color to match the main color of the house siding.
3. The Board found that the proposed house is a replacement house on an existing lot and the site is heavily wooded; no new landscaping is planned at this time. The applicant presented photographs of the existing vegetation.

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.

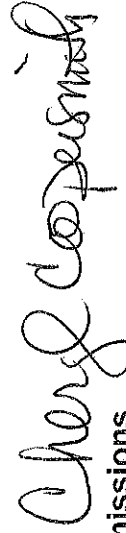
DECISION: In view of the foregoing and the testimony before the application was APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The proposed house will house four sides of Hardiplank siding in Wicker color, manufactured by Allure. Decorative stone in New England Stone – Granite Vineyard, will be place along the foundation and as noted on the elevations of the house. The roof will be Black Walnut, manufactured by Tamko.
2. The trim and entry door will be white. The garage doors will be carriage style in a color to match the main color of the house siding.
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 Stephen Sweeney and seconded by Blythe Yost and carried as follows; James Dodge, aye; Blythe Yost, aye; Jill Fieldstein, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney 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: October 2, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



TOWN CLERKS OFFICE

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TOWN OF ORANGETOWN

ACABOR #14-27: D'Vine Bar Sign Plan: Approved as Presented

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

October 2, 2014
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TO: Joseph Printz, 73 South Main Street, New City, New York 10956
FROM: Architecture and Community Appearance Board of Review

RE: D'Vine Bar Sign Plan: The application of R. Joseph Printz, applicant, for Real Buy LLC, owner, for the review of a Sign Plan at a site known as “**D'Vine Sign 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 4 Depot Square, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 4, Lot 25 in the CS zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, October 2, 2014**, at which time the Board made the following determinations:

Joseph Printz appeared and testified. The Board received the following items:

A. Photographs of the signage.

B. Material Sheet, signed by R. Joseph Printz, dated August 5, 2014.

FINDINGS OF FACT:

1. The Board found that the applicant proposed one sign:
 - a. Placed on the front of the building, the sign is painted steel measuring 72” wide by 48” high. The sign is lit from the rear with LED lights. Words are cut out to state the name of the establishment “D’Vine Bar”.

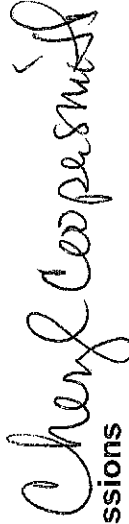
The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

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

The foregoing resolution was presented and moved by James Dodge and seconded by Andrew Andrews and carried as follows: Blythe Yost, aye; James Dodge, aye; Jill Fieldstein, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney 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: October 2, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN CLERKS OFFICE

2014 OCT 9 PM 12:08

TOWN OF ORANGETOWN

ACABOR #14-21: Hess Water System – Generator Screening Plan; Approved as Presented

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

**October 2, 2014
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TO: Dennis Lindsay, Riddick Architects, 76 Lafayette Avenue, Suffern,
New York 10901

FROM: Architecture and Community Appearance Board of Review

RE: Hess Water System – Generator Screening Plan: The application of John Lawler, applicant, for Hess Water System, owner, for the review of a Generator Screening Plan at a site to be known as **“Hess Water System – Generator Screening Plan”**, located in the Critical Environmental Area, 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 934 Route 9W, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.13, Block 1, Lot 35 in the R-22 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Thursday, September 18 and October 2, 2014**, at which time the Board made the following determinations:

September 18, 2014

Dennis Lindsay and John Lawler appeared and testified.

The Board received the following items:

- A.** An interdepartmental memorandum from Bert von Wurmb, Assistant Building Inspector, to Cheryl Coopersmith, ACABOR, dated August 14, 2014.
- B.** Material Sheet, signed by John Lawler, dated August 26, 2014.
- C.** Generator Screening Plan Photo Location Plan; 1 of 1, prepared by Riddick Associates, P.C., Civil & Environmental Engineers, dated February 27, 2014, last revised August 26, 2014.
- D.** Photographs of the Site, noting the existing Pump House, prepared by Riddick Associates.
- E.** Map of Tweed Boulevard – Route 9W Water Line, “Exhibit A” prepared by Jay A. Greenwell, PLS, LLC, dated August 14, 2014, last revised August 26, 2014.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to improve and replace an existing water system and add an emergency generator. The Building Inspector, Bert von Wurmb, directed ACABOR to review only the landscaping of the generator, since the pump house contains less than 1,000 cubic feet of cubical contents and does not require the board’s approval.

TOWN CLERKS OFFICE
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TOWN OF ORANGETOWN

**ACABOR #14-21: Hess Water System – Generator Screening Plan;
Approved as Presented**

**Town of Orangetown – Architecture and Community Appearance Board of
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**October 2, 2014
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2. The Board found that site had existing heavy natural brush immediately around the pump station, generator and planted landscaping beyond the site. The applicant presented photographs of the existing site, noting the existing heavy vegetation. The existing landscaping would not be changed or disturbed.
3. The Board found that the emergency backup generator would be installed in accordance with the manufacturer's recommendations.
4. The Board found that the pump house had a significant impact upon the surrounding community, however, was not under their jurisdiction to review. The applicant and the community needed to come to an agreement regarding the design of the pump house and the appropriate landscaping without intervention of the Board.

Public Comment:

Stewart Lewis, 924 Route 9W, Upper Grandview; raised concerns regarding the design standards of the pump house and its impact upon the adjacent residential historic homes. The pump house was designed by a P.E., not an architect and Mr. Lewis believes there could be a better design for the structure. Also, the generator specifications would require that the landscaping for the generator would be placed on his property.

Carol Luckhardt, 934 Route 9W, Upper Grandview; also speaking for Dr. Nora DeSilva (read and submitted a letter from Dr. DeSilva) agrees with Mr. Lewis, expressed concerns regarding noise from the generator. She also expressed concerns regarding maintenance of any proposed landscaping on the site.

The applicant requested a **CONTINUATION**.

October 2, 2014

Pat Esgate and John Lawler appeared and testified.

The Board received the following items:

A. A copy of an email from Stewart Lewis, abutting property owner, dated October 1, 2014.

FINDINGS OF FACT:

1. The Board found that the applicant had met with Mr. Lewis and Ms Luckhardt, two neighbors regarding the proposed pump house design and generator. The Board read the email that was drafted by Mr. Lewis.
2. The Board found that the applicant presented the Board with plans that redesigned the pump house to have siding and a gable roof.

TOWN CLERKS OFFICE
OCT 9 AM 12 08
TOWN OF ORANGETOWN

**ACABOR #14-21: Hess Water System – Generator Screening Plan;
Approved as Presented**

**Town of Orangetown – Architecture and Community Appearance Board of
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3. The Board found that the proposed planting plan for the generator must be in accordance with the manufacturer's standards; non-combustibles must be at least 3 feet from the generator and combustibles must be at least 5 feet from the generator, which requires planting some of the plants on the southern property owned by Mr. Lewis. The placement of the plants would become more evident once the site is cleared. The applicant noted that funds would be escrowed for continued maintained of the plantings on Mr. Lewis's property.
4. The Board found that it only has authority to request plantings on the easement property, not on Mr. Lewis's or other property owners property. The Board can suggest ideas for plantings (i.e. non deer eating plants) but cannot require plantings on other sites.

The hearing was then opened to the Public.

Public Comment:

Don Feerick, Attorney representing Ms. Carol Luckhardt, 934 Route 9W, Upper Grandview; held that the proposed project is on his client's property and that she does not consent to the project.

Carol Luckhardt, 934 Route 9W, Upper Grandview; raised concerns that there is no proof that the pump house is not on her property.

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 AS PRESENTED.

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Andrew Andrews and carried as follows; Blythe Yost, aye; Jill Fieldstein, aye; James Dodge, aye; Deborah Stuhlweissenburg, aye; Stephen Sweeney 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: October 2, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



TOWN CLERKS OFFICE
2014 OCT 9 PM 12 08
TOWN OF ORANGETOWN