

**Town of Orangetown Architecture and Community Appearance Board of Review  
Meeting of September 9, 2013**

**MEMBERS PRESENT:** Thomas Warren, Chairman; Paul Papay, Vice Chairman;  
Jill Fieldstein; Blyth Yost; James Dodge and Alex DiMenna

**MEMBERS ABSENT:** Jack Messina

**ALSO PRESENT:** Cheryl Coopersmith, Chief Clerk and Ann Marie Ambrose,  
Stenographer

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

**New Items:**

**Helmke & Alatsas Plans**

DI Pietrantonio Subdivision Plan – Lot 1 **Approved Subject  
to Conditions**

**ACABOR #13 - 44**

69.14/2/5.1; R-15 zoning district

**Walther Subdivision Plan**

Review of Subdivision Plan  
78.17/2/20; R-40 zoning district

**ACABOR #13 - 45**

**Approved Subject  
to Conditions**

**Royal Caribbean Artificial Palm Tree Plan**

Review of Palm Tree Plan  
74.19/1/2; LI zoning district

**ACABOR #13 - 46**

**Continued**

**IL Fresco Restaurant Generator Plan**

Review of Back-Up Generator Plan  
74.11/2/2; LIO zoning district

**ACABOR #13 - 47**

**Approved as  
Presented**

**Clover Leaf Inn Plan**

Amendment to ACABOR #13-34  
Review of Outdoor Dining Plan  
74.06/3/4; R-15 zoning district

**ACABOR #13 - 48**

**Approved as  
Presented**

A motion was made to adjourn the meeting by Blythe Yost and seconded by  
James Dodge 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 8:15 p.m. The next ACABOR Meeting is scheduled  
for September 19, 2013.

**Dated: September 9, 2013**

*Cheryl Coopersmith*

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TOWN OF ORANGETOWN

**ACABOR #13-44: Helmke & Alatsas Plans – Lot #1, DiPietrantonio Subdivision Plan, Lot 5.1- Approved Subject to Conditions**

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**TO:** George Alatsas, 17 Bluefield Lane, Blauvelt, New York 10913  
**FROM:** Architecture and Community Appearance Board of Review  
**RE:** Helmke & Alatsas Plans – Lot #1: Application of George Alatsas, applicant, for George Alatsas and Bill Helmke, owners, (Donald Brenner, attorney for the owner) for Site/Structure Plan Review, at a site to be known as “**Helmke & Alatsas Plans – Lot #1**”, and as DiPietrantonio Subdivision – Lot #5.1, 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 622 Blauvelt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.14, Block 2, Lot 5.1 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 **Monday, September 9, 2013**, at which time the Board made the following determinations:

George Alatsas and Donald Brenner appeared and testified.

The Board received the following items:

- A.** Plot Plan prepared by Sparaco & Youngblood, PLLC, dated May 21, 2013.
- B.** Tree Identification and Removal Plan, Lot #1, prepared by Sparaco & Youngblood, PLLC, dated May 21, 2013.
- C.** Landscape Plan prepared by Edge Landscape Inc., undated.
- D.** Architectural Plans prepared by Robert Hoene, RA, dated April 17, 2012, revised May 28, 2013:

A1.0: Elevations

A2.0: Foundation Plan & First Floor Plan

A3.0: General Notes, Sections, & Second Floor Plan

**FINDINGS OF FACT:**

1. The Board found that the proposed house would have three sides of hardboard siding in Mainstreet Granit Grey. The front façade would be Cedar Shake style vinyl siding, in Grey. Decorative stonework would be placed on the front façade foundation. The stonework would be El Dorado Stone in natural tones.
2. The Board found that the trim would be white and the roof shingles would be grey, manufactured by Timberline. The front porch stairway would be bluestone. The lighting on the site would be down lit safety lighting in accordance with Town Code.
3. The Board found 2 Norway Spruce trees should be planted, each tree should be 7 to 8 feet in height. These trees should be planted at the southwest corner of the lot, as noted on the plan revised at the September 9, 2013 ACABOR meeting.

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TOWN OF ORANGETOWN

**ACABOR #13-44: Helmke & Alatsas Plans – Lot #1, Dipietrantonio  
Subdivision Plan, Lot 5.1- Approved Subject to Conditions**

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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 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The proposed house shall have three sides of hardboard siding in Mainstreet Granit Grey. The front façade will be Cedar Shake style vinyl siding, in Grey. Decorative stonework will be placed on the front façade foundation. The stonework will be El Dorado Stone in natural tones.
2. The house trim shall be white and the roof shingles will be grey, manufactured by Timberline. The front porch stairway will be bluestone and the lighting on the site will be down lit safety lighting in accordance with Town Code.
3. Two Norway Spruce trees shall be planted at the southwest corner of the lot, as noted on the plan revised at the September 9, 2013 ACABOR Meeting. Each tree shall be at least 7 to 8 feet in height.
4. Trees to be saved shall be protected with snow fencing to the drip line during construction.
5. No grading is to take place within five feet of any property line, except as specified on the approved site plan.
6. If applicable, 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 Alex DiMenna and seconded by James Dodge and carried as follows; Thomas Warren, Chairman, aye; Paul Papay, aye; Jack Messina, absent; Jill Fieldstein, aye; James Dodge, aye; Blythe Yost, aye; and Alex DiMenna, 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: September 9, 2013  
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*Chyl Cooper*  
**Architecture and Community Appearance Board of Review**

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**ACABOR #13-45: Walther Subdivision Plans: Approved Subject to Conditions**

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

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**TO:** Donald Brenner, 4 Independence Avenue, Tappan, New York  
**FROM:** Architecture and Community Appearance Board of Review  
**RE:** Walther Subdivision Plan: Application of Sue Walther, owner, for review of a 2 lot subdivision plan, at a site to be known as "**Walther Subdivision 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 694 Oak Tree Road, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.17, Block 2, Lot 20 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 **Monday, September 9, 2013**, at which time the Board made the following determinations.

Donald Brenner, Jay Greenwell and Sue and Bill Walther appeared and testified. The Board received the following items:

**A.** Walther Subdivision Plans prepared by Jay Greenwell, PLS, LLC, dated December 21, 2012:

- Drawing 1: Subdivision of Property for Walther, revised January 23, 2013
- Drawing 2: Grading, Drainage & Utility Plan for Walther, revised April 2, 2013
- B.** Copies of ZBA #13-37, Lot Width for Lot #1 and #2, Front Yard, Side Yard, Total Side Yard, Building Height for Lot #1, Street Frontage for Lot #2 and Gravel Driveways for Lot #1 (existing) and Lot #2 (proposed) Variances Approved, June 5, 2013 and PB #13-11, Preliminary Approval Approved Subject to Conditions, Neg. Dec., dated March 27, 2013.

**C.** Submitted at the meeting, Planting Plan prepared by Robert Torgersen, ASLA, dated August 28, 2013.

**FINDINGS OF FACT:**

1. The Board found that the application was for a two lot subdivision.
2. The Board found that the applicant requested the review of a Planting Plan. Approval of the plant screening at this time would allow for mature growth when the house is constructed and provide better screening for the applicant and abutting property owners.
3. The Board found that the remaining application review reviewed the subdivision of property and not reviewing or approving site or architectural plans.

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**ACABOR #13-45: Walther Subdivision Plans: Approved Subject to Conditions**

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4. The Board found that the individual sites and houses would be reviewed at the time each lot would be developed.

**Public Comment:**

Larry Bucciarelli, 700 Oak Tree Road, Palisades, supported the subdivision and the proposed planting plan.

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 WITH THE FOLLOWING CONDITIONS:**

1. The Planting Plan as presented is approved. Approval of the plant screening at this time allows for more mature growth when the house is constructed and provides better screening for the applicant and abutting property owners.
2. With the exception of the approved Planting Plan prepared by Robert Torgersen, ASLA, dated August 28, 2013, prior to any other 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.
3. This application is reviewing only the subdivision of property and not reviewing or approving site or architectural plans, other than the approved Planting Plan prepared by Robert Torgersen, ASLA, dated August 28, 2013.
4. Trees to be saved shall be protected with snow fencing to the drip line during construction.
5. No grading is to take place within five feet of any property line, except as specified on the approved site plan.
6. 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 Alex DiMenna and seconded by Blythe Yost and carried as follows: Thomas Warren, Chairman, aye; Jack Messina, absent; James Dodge, aye; Jill Fieldstein, aye; Paul Papay, aye; Alex DiMenna, aye, and Blythe Yost, 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: September 9, 2013**  
**Town of Orangetown**

**Architecture and Community Appearance Board of Review**



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ACABOR #13 – 47: IL Fresco Restaurant Generator Plan - Approved as Presented  
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TO: Paul Valentine, 374 Greenbush Road, Blauvelt, New York 10913  
FROM: Architecture and Community Appearance Board of Review

RE: IL Fresco Restaurant Generator Plan: Application of Valentine Electric, Inc., applicant, for 15 Kings Highway Corp., owner, for the review of a Back-up Generator Plan, at a site known as “**IL Fresco Restaurant Generator 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 15 Kings Highway, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.11, Block 2, Lot 2 in the LIO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Monday, September 9, 2013**, at which time the Board made the following determinations:

Paul Valentine and Frank Garntano appeared and testified for the applicant. The Board received the following items:

- A. Site Plan prepared by Robert Rahnefeld, PLS, dated December 26, 2012.
- B. Landscaping Plan and photographs, undated.
- C. Manufacturer Specification sheet, Generac Quietsource Series.

**FINDINGS OF FACT:**

1. The Board found that the restaurant has had electric outages over the past few years, creating problems with the refrigeration of food. The proposed generator would operate on natural gas coming off of an existing gas line on the property.
2. The Board found that the proposed generator would be placed behind the restaurant on an existing grassy area. The generator would be screened with shrubs. These plants are currently adjacent to the building and will be relocated and replanted to screen the generator.
3. The Board found that in order to protect the generator, 3 bollards would be placed around the generator pad.
4. The Board found that the generator complies with the Town of Orangetown Noise Ordinance.

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 Alex DiMenna and seconded by Jill Fieldstein and carried as follows: Thomas Warren, Chairman, aye; Jack Messina, absent; James Dodge, aye; Jill Fieldstein, aye; Paul Papay, aye; Alex DiMenna, aye, and Blyth Yost, 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: **September 9, 2013**  
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Architecture and Community Appearance Board of Review

**ACABOR #13-48: Clover Leaf Inn Outdoor Dining Area Plan Amendment  
Approved as Presented**

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**TO:** Diane and Richard Miller, 507 North Midland Avenue, Nyack,  
New York 10960

**FROM:** Architecture and Community Appearance Board of Review

**RE:** Clover Leaf Inn Plan: An amendment to ACABOR #13-34, the application of Diane and Richard Miller, owners, for the review of an Outdoor Dining Plan, at a site known as “**Clover Leaf Inn 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 479 Western Highway, Orangeburg, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.06, Block 3, Lot 4 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 **Monday, September 9, 2013**, at which time the Board made the following determinations:

Richard F. Miller and Richard T. Miller appeared and testified.

The Board received the following items:

**A.** Photographs of the Outdoor Dining Area Plan, noting the requested changes to the site.

**B.** Copy of the Building Permit Application referral to ACABOR.

**FINDINGS OF FACT:**

1. The Board found that the applicant proposed an amendment to ACABOR #13- 34, requesting a perimeter fence rather than the barrels and rope and a surface of pavers.
2. The Board found the fence is wood picket type fence, painted white to match the front entrance to the structure.
3. The Board found that the New York State Liquor Authority requested the change to the design of the outdoor 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.

**DESICION:** 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 Alex DiMenna and carried as follows: Thomas Warren, Chairman, aye; Paul Papay, aye; James Dodge, aye; Jack Messina, absent; Jill Fieldstein, aye; Alex DiMenna, aye, and Blyth Yost, 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: September 9, 2013  
Town of Orangetown**



**Architecture and Community Appearance Board of Review**

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