

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW - MEETING OF APRIL 7, 2009**

**MEMBERS PRESENT:** Jack Messina, Chairperson;  
Larry Vail; Dan Sherman and Jill Fieldstein

**MEMBER ABSENT:** James Dodge; Vice Chairperson;  
Paul Papay and Thomas Miggie

**ALSO PRESENT:** Barbara Gionta, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

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

<b>Tri-Bee – Grove Street Lot #1 Plans</b>	<b>ACABOR #09-06</b>
Review of Site/Structure Plans	<b>Approved</b>
68.20/4/30; RG zoning district	<b>with Conditions</b>

<b>JCC in Manhattan Cabin Plans</b>	<b>ACABOR #09-08</b>
Review of Seasonal Use Cabin Plans	<b>Approved</b>
69.14/1/28; R-80 zoning district	<b>with Conditions</b>

<b>J.P. Morgan Chase Sign Plans</b>	<b>ACABOR #09-09</b>
Review of Sign Plans	<b>Approved</b>
74.11/2/51 & 52; CC zoning district	<b>with Conditions</b>

<b>Orangetown Animal Hospital Plans</b>	<b>ACABOR #09-10</b>
Review of Structure/Site Plans	<b>Approved</b>
70.14/4/21; LO zoning district	<b>with Conditions</b>

A motion was made to adjourn the meeting by Jack Messina and seconded by Thomas Miggie 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 and 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 p.m. The next ACABOR Meeting is scheduled for **April 21, 2009**.

**Dated: April 7, 2009**  
**Cheryl Coopersmith, Chief Clerk**

**#09-06: Tri-Bee, LTD Grove Street – Lot #1- Approved Subject to Conditions**

**TOWN OF ORANGETOWN  
ARCHITECTURE AND COMMUNITY APPEARANCE  
BOARD OF REVIEW DECISION  
April 7, 2009**

TO: Thomas Bertussi; 60-70 Dexter Plaza; Pearl River, NY 10965  
FROM: Architecture and Community Appearance Board of Review  
RE: **#09-06: Tri-Bee – Grove Street Lot #1 Plans:** The application of Tri-Bee, LTD, owner, for the review of a Site/Structure at a site to be known as “Tri-Bee Grove Street Lot #1”, 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 on the west side of South John Street, north of the intersection of Grove Street, at 135 South John Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.20, Block 4, Lot 30, in the RG zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Tuesday, March 17 and April 7, 2009**, at which time the Board made the following determinations:

**March 17, 2009**

Tom Bertussi appeared and testified.

The Board received the following items:

1. Site Plan prepared by Jay Greenwell, PLS, dated of September 29, 2008, revised February 2, 2009.
2. Architectural Plans prepared by Albert Dattoli, R.A., dated February 2, 2009:
  - Sheet 1: Right and Front Elevations
  - Sheet 2: Left and Rear Elevations
  - Sheet 3: Basement Foundation Plan
  - Sheet 4: First Floor Plan
  - Sheet 5: Second Floor Plan

**FINDINGS OF FACT:**

1. The Board found that the proposed house would have four sides of vinyl with decorative stonework on the front facade. Stonework will be placed on the Chimney. The vinyl siding would be Sterling Grey color manufactured by Certainteed. The stonework would be in Montana Top Rock, manufactured by El dorado Stone. The roof would be pewter grey color, manufactured by Timberline. The front facade would have white scallops singles. The stairway on the front elevation would have stone risers with Bluestone stairs.

2. The Board found that the appearance of the house would be enhanced by wrapping the stonework on the bottom of the front facade around to the left elevation, ending at the garage door.
3. The Board found that the air conditioner units would be located either on the southwest side of the lot or next to the chimney on the northwest corner of the lot.
4. The Board found that exterior lighting consisted of safety lighting on the side, front and garage doors.
5. The Board found that the applicant would either plant a berm or place a six foot high fence (4 feet fence with 2 feet lattice) on the west side of the property.
6. The Board reviewed the proposed landscaping of the site and requested that the applicant return to the Board with an enhance design plan.

#### **No Public Comment**

The applicant requested a **CONTINUATION** of the application in order to fulfill the requests of the Board.

#### **April 7, 2009**

Tom Bertussi appeared and testified.

The Board received the following items:

1. Site Plan prepared by Jay Greenwell, PLS, and Robert Torgersen, ASLA, dated of September 29, 2008, revised March 26, 2009.
2. Architectural Plans prepared by Albert Dattoli, R.A., dated February 2, 2009, last revised March 18, 2009:
  - Sheet 1: Right and Front Elevations
  - Sheet 2: Left and Rear Elevations
  - Sheet 3: Basement Foundation Plan
  - Sheet 4: First Floor Plan
  - Sheet 5: Second Floor Plan

#### **FINDINGS OF FACT:**

1. The Board found that the applicant prepared a landscaping plan that responded to their requests from the previous meeting.
2. The Board found that the applicant would remove the following trees on the site: an 8 inch pine tree by the water line, a 12 inch tree on the north side, the 22 inch and 24 inch oak trees which are now noted in the correct location and would still need to be removed. The 2 inch and 8 inch pine trees by the storm drain will be taken down.

3. The Board found that the 16 inch oak will most likely be removed, however, the applicant will try to save it. The 20 inch and 10 inch pine trees and the 16 inch maple tree in the northeast part of the site should be protected in a fenced group.
4. The Board found that the applicant had an option of either a berm or fence on the west side of the site.
5. The Board found that there will be no new trench for water and gas line since it already exists.
6. The Board found that applicant revised the house plans that responded to their requests from the previous meeting.

**No Public Comment**

**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 will have four sides of vinyl with decorative stonework on the front facade. Stonework will be placed on the Chimney. The vinyl siding will be Sterling Grey color manufactured by Certainteed. The stonework will be in Montana Top Rock, manufactured by El dorado Stone. The roof will be Pewter Grey color, manufactured by Timberline. The front facade will have white scallops singles. The stairway on the front elevation will have stone risers with Bluestone stairs.
2. The stonework on the bottom of the front facade shall be wrapped around to the left elevation, ending at the garage door.
3. The air conditioner units will be located next to the chimney on the northwest corner of the lot, as indicated on the revised Site Plan.
4. The applicant has the option of either planting a berm or placing a six foot high fence (4 feet fence with 2 feet lattice) on the west side of the property.
5. The 20 inch and 10 inch pine trees and the 16 inch maple tree in the northeast part of the site shall be protected in a fenced group.
6. Trees to be saved shall be protected with snow fencing to the drip line during construction.
7. No grading is to take place within five feet of any property line, except as specified on the approved site plan.
8. 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 Jack Messina and seconded by Jill Fieldstein and carried as follows; James Dodge, absent; Dan Sherman, aye; Thomas Miggie, absent, Jack Messina, aye; Paul Papay, absent; Jill Fieldstein, aye and Larry Vail, 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: April 7, 2009**

Architecture and Community Appearance Board of Review

**ACABOR #09-08 - JCC in Manhattan Cabin Plans  
Approved with Conditions**

**TOWN OF ORANGETOWN  
ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW  
DECISION**

**April 7, 2009  
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TO: Dara Schub, JCC in Manhattan, 334 Amsterdam Avenue, New York, New York  
FROM: Architecture and Community Appearance Board of Review  
RE: **ACABOR #09-08: JCC in Manhattan Cabin Plans:** The application of **JCC in Manhattan Cabin Plans**, applicant, for UJA Federation of New York, owners, for review of a Seasonal Use Cabin/Site Plan to be known as "**JCC in Manhattan Cabin 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 667 Blauvelt Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.14, Block 1, Lot 28 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 **Tuesday, April 7, 2009**, at which time the Board made the following determinations:

Dara Schub and Ed Fitzgerald appeared and testified.

The Board received the following items:

1. Site Plan of property noting location of proposed cabin, dated March 17, 2009
2. Architectural Plans prepared by Summerwood Products, signed and sealed by S.M. Akhter, dated March 30, 2009.
3. Descriptive Information: Pricing and Features regarding the proposed Cabin, dated March 23, 2009.

**FINDINGS OF FACT:**

1. The Board found that the proposed cabin measured 624 square feet and would be used as a seasonal structure for a summer day camp.
2. The Board found that the exterior material as noted on the submitted plans; vertical cedar siding. The type of the structure matches other buildings in the area of the site. The structure is a "Pre-fab" building, delivered to the site in three pieces
3. The Board found that the landscaping noted on the plan is "representative" of proposed planting, since the planting is noted to circle the entire building. The actual plantings would allow for the entrance into the structure.
4. The Board found that the closest abutting property owner is at least 500 feet away. The property between the proposed cabin and the abutting property owner is heavily vegetated with plants and trees.

**ACABOR #09-08**

**JCC in Manhattan Cabin Plans – Approved with Conditions**

**April 7, 2009**

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**Public Comments:**

John Torpey, 79 Sickletown Road, requested information regarding the proposed location of the cabin.

Robert Beers, 81 Sickletown Road, raised concerns regarding the development of the property.

Mary Monahan, Blauvelt Road, wanted to know the number of structures proposed.

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

1. The Board approved the type of material to be used for the exterior of the structure as noted on the plans; vertical cedar siding.
2. The landscaping noted on the plan is “representative” of proposed planting, since the planting is noted to circle the entire building. The actual plantings will allow for the entrance into the structure.
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 Jack Messina and seconded by Jill Fieldstein and carried as follows: James Dodge, absent; Dan Sherman, aye; Thomas Miggie, absent, Jack Messina, aye, Jill Fieldstein, aye; Paul Papay, absent and Larry Vail, 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: April 7, 2009**

**Architecture and Community Appearance Board of Review**

**ACABOR #09-09 - TOWN OF ORANGETOWN  
ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW  
DECISION**

**J.P. Morgan Chase Sign Plan - Approved Subject to Conditions  
April 7, 2009  
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TO: Ira Emanuel, 4 Laurel Road, New City, New York, 10956  
FROM: Architecture and Community Appearance Board of Review  
RE: **ACABOR #09-09: J.P. Morgan Chase Sign Plans:** The application of J.P. Morgan Chase Bank, applicant for Johnson Kirchner Holdings, owners, (Ira Emanuel, attorney for the applicant) for the review of Sign Plans for a site to be known as "**J.P. Morgan Chase Sign 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 333 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.11, Block 2, Lots 51 & 52 in the CC zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday, April 7, 2009**, at which time the Board made the following determinations:

The Board received the following items:

1. Drawing 07-1129-2: Sign Schedule Plans prepared by New Sign Industries, Moorestown, New Jersey, dated October 29, 2007, last revised February 18, 2008:

Page 1: Illuminated Pylon and Side View

Page 2: North Elevation

Channel Letters – LIF –WBO – 30-s - Elevation, Octagon -Side Views and Letter – Side View

Page 3: South Elevation

Channel Letters – LIF –WBO – 24-s - Elevation, Octagon -Side Views and Letter – Side View

Page 4: West Elevation

Channel Letters – LIF –WBO – 24-s - Elevation, Octagon –Side Views and Letter – Side View

Page 5: East Elevation

Channel Letters – LIF –WBO – 24-s - Elevation, Octagon -Side Views and Letter – Side View

2. Board Decisions: ZBA #09-16, Variances Approved with Modifications, dated April 1, 2009, and Prior ACABOR Decision approving Site/Structure ACABOR #07-16, dated February 20, 2007.

**ACABOR #09-09 - J.P. Morgan Chase Sign Plan  
Approved Subject to Conditions**

**TOWN OF ORANGETOWN  
ARCHITECTURE AND COMMUNITY APPEARANCE  
BOARD OF REVIEW DECISION**

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**FINDINGS OF FACT:**

1. The Board found that the Town of Orangetown Zoning Board of Appeals removed two signs from the application; signs on the East and South are no longer part of the application. Revised plans need to be submitted.
2. The Board found that the Lollipop sign appeared taller than a similar sign at the Chase Bank in Pearl River and discussed the possibility of decreasing the size.

**No Public Comments.**

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

1. The applicant shall comply with the Town of Orangetown Zoning Board of Appeals decision, ZBA #09-16, dated April 1, 2009. The colors and sign designs are approved as presented.

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Dan Sherman and carried as follows: James Dodge, absent; Dan Sherman, aye; Thomas Miggie, absent, Jack Messina, aye, Paul Papay, absent; Jill Fieldstein, aye and Larry Vail, 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: April 7, 2009  
Architecture and Community Appearance Board of Review**

**ACABOR #09-10 - Orangetown Animal Hospital Plans  
Approved with Conditions**

**TOWN OF ORANGETOWN  
ARCHITECTURE AND COMMUNITY APPEARANCE  
BOARD OF REVIEW DECISION**

**April 7, 2009  
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TO: Donald Brenner, 4 Independence Avenue, Tappan, New York 10983  
FROM: Architecture and Community Appearance Board of Review  
RE: **ACABOR #09-10 Orangetown Animal Hospital Plans:** The application of the Orangetown Animal Hospital, owner, for the review of Structure/Site Plans for a site to be known as "**Orangetown Animal Hospital 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 564 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.14, Block 4, Lot 21 in the LO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday, April 7, 2009**, at which time the Board made the following determinations:

Donald Brenner, Dr. Byungro Jun and Matthew Oscar appeared and testified.

The Board received the following items:

1. Site Plan prepared by Anthony Celentano, P.E., dated September 27, 2007, last revised March 6, 2009.
2. Architectural Plans prepared by Matthew R. Oscar, R.A.:
  - A-1 of 3: Zoning Sheet, dated June 23, 2008, revised June 9, 2009
  - A-2 of 3: Elevations, Foundations and Roof Plan, dated June 23, 2008
2. PB #07-69, Preliminary Site Plan Approval Subject to Conditions, dated November 28, 2008.

**FINDINGS OF FACT:**

1. The Board found that the project consisted of an expansion of the existing animal hospital. The facade will match in materials to the existing structure, T-One Eleven siding in the same color.
2. The Board found that the proposed project has decreased in size from the original plan. The physical condition of the rear of the site was discussed.

**No Public Comment**

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

1. The applicant shall construct an expansion of the existing animal hospital. The facade will match in materials to the existing structure, T-One Eleven siding in the same color.
2. Trees to be saved shall be protected with snow fencing to the drip line during construction

**ACABOR #09-10 - Orangetown Animal Hospital Plans  
Approved with Conditions**

**TOWN OF ORANGETOWN  
ARCHITECTURE AND COMMUNITY APPEARANCE  
BOARD OF REVIEW DECISION**

**April 7, 2009**

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3. 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 Jack Messina and seconded by Larry Vail and carried as follows: James Dodge, absent; Dan Sherman, aye; Thomas Miggie, absent, Jack Messina, aye, Jill Fieldstein, aye; Paul Papay, absent and Larry Vail, 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: April 7, 2009**

**Architecture and Community Appearance Board of Review**