TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW - MEETING OF DECEMBER 1, 2009

MEMBERS PRESENT: Larry Vail; Dan Sherman; Jill Fieldstein; and Paul Papay

MEMBER ABSENT: Jack Messina, Chairperson; James Dodge; Vice Chairperson and Thomas Miggie

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

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

Route 9W Golf Subdivision – Lot 3.5 ACABOR #09-38

Review of Site/Landscaping Plans
Palisades Historic District
(Historic Areas Board of Review to Review

Approved with
Conditions

Architectural Plans)
78.13/1/3.5; R-40; zoning district

Sapienza Plans Approved ACABOR #09-39

Review of Site/Structure Plans with

65.20/1/7; R-40 zoning district Conditions

Ackermann Plans Approved ACABOR #09-40

Review of Solar Rooftop Panels 68.16/6/38; CS zoning district

Holiday Inn Sign Plans Approved ACABOR #09-41

Review of New Sign Plans with

74.11/2/25; CC zoning district Conditions

Orange & Rockland Utilities, Inc. Approved ACABOR #09-42

Corporate Drive Substation with
Review of New Site/Structure Plans Conditions

73.15/1/19; LIO zoning district

A motion was made to adjourn the meeting by Larry Vail and seconded by Jill Fieldstein 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 9:30 p.m. The next ACABOR Meeting is scheduled for January 5, 2010.

Dated: December 1, 2009

Route 9W Golf Subdivision – Lot #3.5 Plans Approved Subject to Conditions Page 1 of 2

TO: Glen Orecchio, 335 East Brinkerhoff Avenue, Palisades Park, New Jersey FROM: Architecture and Community Appearance Board of Review RE: The application of Glen Orecchio, owner, for the review of Site and Landscaping Plans at a site to be known as "Route 9W Golf Subdivision – Lot 3.5", located in the Palisades Historic 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 on Kopac Lane, Palisades, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 78.13, Block 1, Lot 3.5, 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 **Tuesday**, **December 1**, **2009**, at which time the Board made the following determinations:

Karl Hess, Robert Torgersen and Glen Orecchio appeared and testified.

The Board received the following items:

- 1. Site Plan prepared by John E. Collazuol & Associates, dated July 22, 2008, last revised October 28, 2009.
- 2. Architectural Plans prepared by Karl Hess, R.A., dated October 19, 2009: Sheet 1: Elevations, revised November 13, 2009
 - Sheet 2: Elevations, revised November 13, 2009
 - Sheet 3: Basement/Foundation Plan
 - Sheet 4: First Floor Plan, revised November 13, 2009
 - Sheet 5: Second Floor Plan and Roof Plan, revised November 13, 2009
 - Sheet 6: Details
- 3. Landscape Plan prepared by Robert G. Torgersen, ASLA, dated November 16, 2009.
- 4. Vicinity Map noting location of project site.

FINDINGS OF FACT:

1. The Board found the applicant is scheduled to appear in front of the Historic Areas Board of Review to review the House since the lot is located in the Palisades Historic District. ACABOR reviewed only the Site and Landscaping Plans.

Route 9W Golf Subdivision – Lot #3.5 Plans Approved Subject to Conditions Page 2 of 2

- 2. The Board found that the subdivision had been a golf course, however the lot selected by the applicant contained a wooded potion in the rear of the lot.
- 3. The Board found that the Air Conditioner unit would be located next to the stairway near the basement, in the rear portion of the yard.
- 4. The Board found that the sidewalk and front yard stairway would have stone pavers in Holland Antique Grey color.
- 5. The Board found that the patio would be completed with be Multi Colored Pavers.

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 SUBJECT TO THE FOLLOWING CONDITIONS**

- 1. The Air Conditioner unit shall be located next to the stairway near the basement, in the rear portion of the yard
- 2. The sidewalk and front yard stairway will have stone pavers in Holland Antique Grey color.
- 3. The patio will be completed with be Multi Colored Pavers.
- 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 Paul Papay and seconded by Jill Fieldstein and carried as follows; James Dodge, absent; Dan Sherman, aye; Thomas Miggie, absent, Jack Messina, absent; Paul Papay, aye; 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.

Sapienza Site/Structure Plans; Approved Subject to Conditions Page 1 of 3

TO: Daimian Holowinski; Pilla Associates, 23 Depew Avenue, Nyack, New York 10960

FROM: Architecture and Community Appearance Board of Review RE: Sapienza Site/Structure Plans: The application of Joseph Sapienza, owner for the review Site/Structure Plans at a site to be known as "Sapienza 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, in the Critical Environmental Area. The site is located at 253 South Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 65.20, Block 1, Lot 7 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 **Tuesday**, **December 1**, **2009**, at which time the Board made the following determinations:

Dominick Pilla and Jorel Vaccaro appeared and testified. The Board received the following items:

- 1. Survey Plan prepared by Anthony R. Celentano. PLS, dated July 15, 2006, last revised July 6, 2007
- 2. Plans prepared by Dominick Pilla Associates:
- -SP-00: Cover Sheet, dated August 26, 2008, revised November 12, 2009
- -L-01: Landscaping Plan, dated August 26, 2008, revised November 12, 2009
- -L-02: Site Photos, dated August 26, 2008, revised November 12, 2009
- -A100: Basement Plan, dated November 12, 2009
- -A101: Main Floor Plan, dated November 12, 2009
- -A102: 2nd Floor Plan, dated November 12, 2009
- -A200: East Elevation, dated November 12, 2009
- -A201 North Elevation, dated November 12, 2009
- -A202: West Elevation, dated November 12, 2009
- -A203: South Elevation, dated November 12, 2009

Sapienza Site/Structure Plans; Approved Subject to Conditions Page 2 of 3

2. Copies of PB #08-59, dated October 28, 2009, Preliminary Site Plan Approved Subject to Conditions and ZBA #09-08, Approved with Conditions, Street Frontage, Side Yard and Building Height Variances, dated February 24, 2009.

FINDINGS OF FACT:

- 1. The Board found that the proposed structure was an addition to an existing structure on the site. The addition materials would match the materials on the existing structure. The siding would be Cedar Siding in a Sage color and the trim would be natural wood. The stone on the façade would be real natural stone, to match the existing chimney. The roof would be asphalt shingles in a brown color. The Pillars on the house would be wood and the railing would be wrought iron.
- 2. The Board found that on the Site plan, tree screening will be planted in a staggered fashion or to follow the driveway to shield the abutting property owner located at a lower elevation, from vehicle headlights from shining onto their property.

Public Comment:

Peter Coquitte, 257 South Boulevard, Upper Grandview, raised concerns regarding the car headlight glare shining onto his property. He requested that the Board consider some type of plantings along driveway. Mr. Coquitte requested native plants be planted.

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

- 1. The structure is an addition to an existing structure on the site. The addition materials will match the materials on the existing structure. The siding will be Cedar Siding in a Sage color and the trim will be natural wood. The stone on the façade will be real natural stone, to match the existing chimney. The roof will be asphalt shingles in a brown color. The Pillars on the house will be wood and the railing will be wrought iron.
- **2.** Tree screening will be planted in a staggered fashion or to follow the driveway to shield the abutting property owner located at a lower elevation, from vehicle headlights from shining onto their property.

Sapienza Site/Structure Plans; Approved Subject to Conditions Page 3 of 3

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

Ackermann Plans – Solar Panels; Approved Page 1 of 2

TO: Liz Ceppos, Mercury Solar Systems, 36 Midland Avenue, Port Chester, New York 10513

FROM: Architecture and Community Appearance Board of Review RE: Ackermann Plans: Application of Mercury Solar Systems, applicant, for Karl Ackermann, owner, for Review of Solar Rooftop Panels at a site known as

"Ackermann 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 159 East Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York; and as shown on the Orangetown Tax Map as Section 68.16, Block 6, Lot 38 in the CS zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday**, **December 1**, **2009**, at which time the Board made the following determinations:

Anthony Conklin and Karl Ackermann appeared and testified. The Board received the following items:

- **1.** Architectural Plan entitled "Proposed Solar Panels for Ackermann Residence, prepared by Karl Ackermann, RA, dated November 12, 2009
- **2.** A letter signed by James A. Marx, Jr. P.E., Mercury Solar Systems, dated September 24, 2009, regarding the adequacy and structural integrity of the existing roof rafters for mounting the solar collector panels, with attachments.
- **3.** Photographs of the house with solar panels superimposed.
- 4. Technical document "210 Solar Panel".

FINDINGS OF FACT:

- 1. The Board found that the solar Panels were proposed to placed on an existing rooftop structure, 40 degree facing south. The applicant stated that the house is in an excellent location for solar power.
- 2. The Board reviewed and approved the appearance of the panels.

Ackermann Plans – Solar Panels; Approved Page 2 of 2

No Public Comment

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

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Larry Vail carried as follows: James Dodge, absent, Dan Sherman, aye; Jack Messina, absent; Thomas Miggie, absent; Larry Vail, aye; Paul Papay, aye and Jill Fieldstein, 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.

Holiday Inn Sign Plans – Lite Brite Plans, Approved Subject to Conditions Page 1 of 2

TO: Maria Rontundo, Lite Brite Signs, 51 Montgomery Street, Middletown, New York 10940

FROM: Architecture and Community Appearance Board of Review RE: Holiday Inn Sign Plans: Application of Lite Brite Signs, applicant, for Orangeburg LLC, owner, for Review of New Signage at a site known as "Holiday Inn 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 329 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York; and as shown on the Orangetown Tax Map as Section 74.11, Block 2, Lot 25 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**, **December 1**, **2009**, at which time the Board made the following determinations:

Maria Rontundo, Debra Noeldechen and Saul Silverman appeared and testified. The Board received the following items:

- **1.** Sign Plans prepared by Lite Brite:
 - Sheet 1: Elevation, chart of types of proposed signs and colors
 - Sheet 2: Photographs of existing signs and proposed signs on the façade
 - Sheet 3: Elevations and Electrical Information
 - Sheet 4: Photographs of Existing Double Faced Internally Illuminated Pylon Sign and depiction of Proposed Double Faced Internally Illuminated Pylon Sign
 - Sheet 5: Photographs of Building and parking area
 - Sheet 6: Site Plan noting existing signs and recommendation for new signage
- **2.** Arial photograph of the project site.
- **3.** Site Plan prepared by Joseph Haller, PLS, dated September 2, 1997, noting location of project site.

Holiday Inn Sign Plans – Lite Brite Plans, Approved Subject to Conditions Page 2 of 2

FINDINGS OF FACT:

1. The Board found that the proposed signage would replace the existing signage on site. The colors and design would be the new corporate wide standard logo and colors. The colors are white and green.

No Public Comment

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

- **1.** The colors and design will be the new corporate wide standard logo and colors. The colors are white and green.
- **2**. Trees to be saved shall be protected with snow fencing to the drip line during construction.
- **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 Dan Sherman and seconded by Jill Fieldstein carried as follows: James Dodge, absent; Dan Sherman, aye; Jack Messina, absent; Thomas Miggie, absent; Larry Vail, aye; Paul Papay, aye and Jill Fieldstein, 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: December 1, 2009

Town of Orangetown Architecture and Community Appearance Board of Review

Orange & Rockland Utilities, Inc. Corporate Drive Substation Site/Structure; Approved with Conditions Page 1 of 4

TO: Anthony Montabano, Montalbano, Condon and Frank, 67 North Main Street, New City, New York 10956

FROM: Architecture and Community Appearance Board of Review RE: Orange & Rockland Utilities, Inc. Plans: Application of Orange & Rockland Utilities, Inc., applicant, for Verizon Wireless, LLC, owner, for Review of Site/Structure at a site known as "Orange & Rockland Utilities, Inc., Plans – Corporate Drive Substation 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 2000 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York; and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 19 in the LIO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday**, **December 1**, **2009**, at which time the Board made the following determinations:

Robert Torgersen, Peter McGoldrick Peter Langellier, Anthony Montalbano and Karl Wilson appeared and testified. The Board received the following information.

1. Site Plans prepared by Charles Tschig, P.E., dated June 1, 2009:

Sheet 1: Title Sheet, revised October 30, 2009

Sheet 2: Existing Conditions, revised October 30, 2009

Sheet 3: Amended Site Plan, revised October 30, 2009

Sheet 4: Layout and Utility Plan, revised October 30, 2009

Sheet 5: Grading Plan, revised October 30, 2009

Sheet 6: Erosion/Sediment Control Plan, revised October 30, 2009

Sheet 7: Driveway Profiles/Details, revised October 30, 2009

Sheet 8: Details, revised October 30, 2009

Sheet 9: Electric Plan, revised November 13, 2009

Sheet 10: Electric Elevations, revised November 13, 2009

Sheet 11: Electric Elevations, revised November 13, 2009

Sheet 12: Planting Plan, prepared by Robert Torgersen, ASLA, dated August 14, 2009, revised November 4, 2009

Orange & Rockland Utilities, Inc. Corporate Drive Substation Site/Structure; Approved with Conditions
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- 2. Architectural Elevations prepared by M. Homeride, dated November 17, 2009
- 3. Architectural Plans of Cobblestone Wall, entitled Precast Screening Wall Corporate Drive Substation, prepared by Superior Concrete Products, dated November 5, 2009, with an attachment of a Technical Document.
- 4. Copies of the following Board Decisions: ZBA #09-74, Front Yard and Building Height Variances Approved, dated November 4, 2009 and PB #09-26, Preliminary Site Plan Approval Subject to Conditions, dated September 16, 2009, with amendments of October 14, 2009 and October 28, 2009.

FINDINGS OF FACT:

- 1. The Board found that the propose Wall would be a customized 25 foot high wall, constructed of Superior Concrete Products. The applicant proposed the color as Charcoal, however, after discussions with the applicant and the public, the color of the wall was changed to "Pueblo".
- 2. The Board found that the Wall Roll Up Doors would match the main color of the Wall. Sheet 7 of the plans needed to be revised to note the Roll Up Doors, rather than a chain link fence.
- 3. The Board found that the proposed landscaping around the perimeter of the Wall would copy the types of trees found in the existing parking facility at the Verizon site. The applicant noted that some of those trees were Linden trees. In addition, fir and spruce trees will be planted closer to the wall, plus some arborvitae right at the wall, as required by the Planning Board #09-26 Preliminary Site Plan Approval and as noted on the presented Landscaping Plan and Site Plan. (PB #09-26, Condition #13: "On the Western side of the Substation, the applicant shall plant additional arborvitae plants around the proposed wall. The planting of the arborvitae shall not affect fire safety and sight distance and the design of the wall and plantings are subject to review and approval by the Planning Board at Final Board Review.")
- 4. The Board found that the trees across the front and sides of the Wall would be at a minimum of 12 feet in height when planted and planted on top of a berm, as noted on the presented Landscaping Plan.
- 5. The Board found that the lighting noted on the Site Plan is inside the perimeter of the Substation wall. The lighting will be below the level of the Wall, shall be down lighting and will be on only when needed. The applicant stated that would be when someone is working at the substation. The plan notes the lights as 30 feet in height, therefore, the plans should be revised to note the lights to be less than the height of the Wall.

Orange & Rockland Utilities, Inc. Corporate Drive Substation Site/Structure; Approved with Conditions
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Public Comments:

Melody Fiore, 99 Hunt Road, Orangeburg, an abutting property owner, raised concerns regarding the closeness of the site to her property. She opposed the charcoal color of the Wall and expressed concerns regarding the possible unhealthy conditions of the proposed trees. Ms Fiore requested information regarding the wattage of the lights on site.

Leslie Whatley, 6 Buckingham Court, Old Tappan, New Jersey, reviewed the history of the application. Ms Whatley raised concerns regarding the color of the proposed Wall.

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

- 1. The propose Wall will be a customized 25 foot high wall, constructed of Superior Concrete Products. The color of the wall will be "Pueblo".
- 2. The Wall Roll Up Doors will match the main color of the Wall. Sheet 7 of the plans shall be revised to note the Roll Up Doors, rather than a chain link fence.
- 3. The proposed landscaping around the perimeter of the Wall will copy the types of trees found in the existing parking facility at the Verizon site. The applicant noted that some of those trees were Linden trees. In addition, fir and spruce trees will be planted closer to the wall, plus some arborvitae right at the wall, as required by the Planning Board #09-26, Preliminary Site Plan Approval and as noted on the presented Landscaping Plan and Site Plan. (PB #09-26, Condition #13: "On the Western side of the Substation, the applicant shall plant additional arborvitae plants around the proposed wall. The planting of the arborvitae shall not affect fire safety and sight distance and the design of the wall and plantings are subject to review and approval by the Planning Board at Final Board Review.")
- **4.** The trees across the front and sides of the Wall will be at a minimum of 12 feet in height when planted and planted on top of a berm, as noted on the presented Landscaping Plan and Site Plan.
- 5. The lighting noted on the Site Plan is inside the perimeter Substation Wall. The lighting will be below the level of the Wall, shall be down lighting and will be on only when needed. The applicant stated that would be when someone is working at the substation. The plan notes the lights as 30 feet in height, therefore, the plans shall be revised to note the lights to be less than the height of the Wall.

Orange & Rockland Utilities, Inc. Corporate Drive Substation Site/Structure; Approved with Conditions Page 4 of 4

The foregoing resolution was presented and moved by Dan Sherman, and seconded by Jill Fieldstein carried as follows: James Dodge, absent; Dan Sherman, aye; Jack Messina, absent; Thomas Miggie, absent; Larry Vail, aye; Paul Papay, aye and Jill Fieldstein, 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.