

TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW - MEETING OF JANUARY 5, 2010

MEMBERS PRESENT: Jack Messina, Chairperson; Larry Vail; Thomas Miggie; Dan Sherman; Jill Fieldstein and Paul Papay

MEMBER ABSENT: James Dodge; Vice Chairperson

ALSO PRESENT: Barbara Gionta, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Gina Raymond, 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.

Aluf Plastics Plans Review of Structure Plans 70.18/2/16; LI zoning district	Continued: Submit Additional Plans	ACABOR #10-01
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Pearl River Car Wash Plans Review of Site/Structure Plans 64.17/1/77; CO zoning district	Approved with Conditions	ACABOR #10-02
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Metro PCS New York Plans Review of Collocation of Wireless Telecommunication Facility at Existing Flagpole and Equipment Cabinets 68.20/1/1.30; LI zoning district	Approved with Conditions	ACABOR #10-03
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#1 First Class Marsico Court Plans Review of Amendment to Site Plan Driveway Width 70.11/1/5.1; R-80 zoning district	Approved with Conditions	ACABOR #10-04
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Donovan Plans Review of Site/Structure Plans 69.06/2/26; R-40 zoning district	Approved with Conditions	ACABOR #10-05
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A motion was made to adjourn the meeting by Thomas Miggie and seconded by Dan Sherman 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 8:50 p.m. The next ACABOR Meeting is scheduled for January 19, 2010.

Dated: January 5, 2010
Town of Orangetown
Architecture and Community Appearance Board of Review

**ACABOR #10-02: Town of Orangetown – Architecture and Community
Appearance Board of Review Decision
January 5, 2010**

**Pearl River Car Wash Plans; Approved Subject to Conditions
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TO: Tim Weigel, 2 Herald Court, Valley Cottage, New York 10989
FROM: Architecture and Community Appearance Board of Review
RE: Pearl River Car Wash Plans: The application of Tim Weigel, applicant, for John Weigel, owner, for review of Site/Structure Plans at a site known as “**Pearl River Car Wash 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 558 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 64.17, Block 1, Lot 77 in the CO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday, January 5, 2010**, at which time the Board made the following determinations:

Tim Weigel appeared and testified. The Board received the following items:

1. Proposed Site Plan for Pay Stations and Canopy, prepared by Robert Torgersen, ASLA, dated October 28, 2009.
2. Photographs of the proposed Pay Station.

FINDINGS OF FACT:

1. The Board found that the plan was revised to have only two machines, however three islands will be shown on the plan.
2. The Board found that the lighting will be straight down under the overhead canopy.
3. The Board found that there will be only one sign at each machine, on a hinged door which will be closed at night. The sign will be the Price Menu.

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 WITH THE FOLLOWING CONDITIONS:**

1. The plan shall be revised to show only two machines, however three islands will be shown on the plan.
2. The lighting will be straight down under the overhead canopy.
3. There will be only one sign at each machine, on a hinged door which will be closed at night. The sign will be the Price Menu.

The foregoing resolution was presented and moved by Thomas Miggie and seconded by Jack Messina and carried as follows: James Dodge, absent; Dan Sherman, aye; Jack Messina, aye; Thomas Miggie, aye; 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: January 5, 2010
Town of Orangetown
Architecture and Community Appearance Board of Review**

**ACABOR #10-03: Town of Orangetown – Architecture and Community
Appearance Board of Review Decision
January 5, 2010**

**Metro PCS New York Plans; Approved Subject to Conditions
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TO: Lucia Chicchio, Esq. Cuddy & Feder, LLP, 445 Hamilton Avenue, 14th
Floor, White Plains, New York 10601

FROM: Architecture and Community Appearance Board of Review

RE: Metro PCS New York, LLC Plans: The application of Metro PCS New York, LLC, applicant, for Tri Bee Ltd., owner, for review collocation of a wireless telecommunication facility, consisting of antennas mounted within the existing flagpole and installation of equipment cabinets at a site known as “**Metro PCS New York, LLC 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 60-70 Dexter Plaza, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.20, Block 1, Lot 1.30 the LI zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday, January 5, 2010**, at which time the Board made the following determinations:

Lucia Chicchiao and Anthony Botta appeared and testified for the applicant. The Board received the following items:

1. Report and application prepared by Cuddy & Feder, dated December 7, 2009.
2. Plans prepared by Tectonic Engineering and Surveying Consultants, dated August 4, 2009, last revised October 30, 2009:
 - a. T-1: Title Sheet
 - b. Z-1: Plot Plan and Notes
 - c. Z-2: Site Plan and Setback Map
 - d. Z-3: Elevation, Details and Notes
 - e. Z-4: Equipment Room Plan and Details
 - f. Z-5: Routing Plan

FINDINGS OF FACT:

1. The Board found the proposed antennas consisted of mounting three panels antennas at a centerline height of approximately 77'8” above ground level within the existing steel flagpole and installing associated unmanned equipment cabinets with a secure room in the basement of the adjacent building.
2. The Board found that there will be no equipment outside the structure. The air conditioner units will be similar to others on site.

**ACABOR #10-03: Town of Orangetown – Architecture and Community
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January 5, 2010**

**Metro PCS New York Plans; 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 WITH THE FOLLOWING CONDITIONS:**

1. The antennas will be installed within the steel flag pole structure. No equipment will be outside of this structure. The air conditioning units will be installed on the roof of the building and will be similar in size and height as others on the building.
2. No equipment outside the structure. The air conditioner units will be similar to others on site.
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 Thomas Miggie carried as follows: James Dodge, absent; Dan Sherman, aye; Jack Messina, aye; Thomas Miggie, aye; Larry Vail, aye; Paul Papay, recused 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: January 5, 2010
Town of Orangetown
Architecture and Community Appearance Board of Review**

**ACABOR #10-04: Town of Orangetown – Architecture and Community
Appearance Board of Review Decision
January 5, 2010**

**#1 First Class Marsico Court Driveway Width Site Plan Amendment Plan
Approved Subject to Conditions
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TO: Jacques Sauma, 1 First Class Marsico Court, Blauvelt, New York 10913
FROM: Architecture and Community Appearance Board of Review
RE: #1 First Class Marsico Court Plans: The application of Jacques Sauma, applicant, for Canit Sauma, owner for review of an Amendment to the Site Plan regarding the Width of the Driveway at a site known as “**#1 First Class Marsico Court 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 1 First Class Marsico Court, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.11, Block 1, Lot 5.1 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, January 5, 2010**, at which time the Board made the following determinations:

Canit and Jacques Saumai appeared and testified. The Board received the following items:

1. Survey of Property entitled “#1 First Class Marsico Court”, prepared by Stephen F. Hoppe, L.S., dated September 18, 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. A photograph of the existing driveway.

FINDINGS OF FACT:

1. The Board found that the applicant constructed the driveway at a width of 16 feet rather than the approved width of 18 feet, as noted on the Approved Site Plan.
2. The Board reviewed and approved the 16 foot width.

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. Trees to be saved shall be protected with snow fencing to the drip line during construction.
2. 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 Thomas Miggie and seconded by Larry Vail carried as follows: James Dodge, absent, aye; Jack Messina, aye; Thomas Miggie, aye; 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: January 5, 2010
Town of Orangetown
Architecture and Community Appearance Board of Review**

**ACABOR #10-05: Town of Orangetown – Architecture and Community
Appearance Board of Review Decision
January 5, 2010**

**Donovan Plans; Approved Subject to Conditions
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TO: Deborah and Steven Donovan, 38 Blauvelt Road, Nanuet,
New York, 10960

FROM: Architecture and Community Appearance Board of Review

RE: Donovan Plans: The application of Deborah and Steven Donovan, owners for review of Site/Structure Plans at a site known as “**Donovan 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 23 Marycrest Road, West Nyack, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.06, Block 2, Lot 26 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, January 5, 2010**, at which time the Board made the following determinations:

Harry Goldstein, Deborah and Steven Donovan appeared and testified.

The Board received the following items:

- 1 Site Plan prepared by Anthony R. Celentano, PLS, dated October 7, 2009, last revised December 9, 2009.
2. Architectural Plans prepared by Harry J. Goldstein, RA, dated December 9, 2009:
 - 1 of 5: Front and Rear Elevations
 - 2 of 5: Right and Left Elevations and Typical Wall Section
 - 3 of 5: Foundation/Basement Plan
 - 4 of 5: Main Floor Plan
 - 5 of 5: Second Floor Plan
3. Photographs of the existing house and site.

FINDINGS OF FACT:

1. The Board found that the existing house on the site will be demolished and a new house will be constructed. The lot is treed with existing vegetation. Some willow trees may be removed, however, most trees will remain on the site.
2. The Board found that the existing garage will remain on the site and will be sided to match the new house.

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**Donovan Plans; Approved Subject to Conditions
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3. The Board found that the applicant has the option of either four sides of house siding in Hardi Plank or Cement Board in Cedar Impressions or Certainteed in Light Maple color. Decorative stone work would be on the front facade in Eldorado natural stone. The window trim would be white and the shutters would be dark brown, with a mahogany front door. The garage doors would be carriage style door in a brown vinyl. Shutters shall be placed on the up and down set of windows on the left side elevations. The plans should be revised.
4. The Board found that recessed lights will be in the porch ceiling facing downward.
5. The Board found that carriage lights shall be noted on the plans on either side of the garage doors.
6. The Board found that evergreen shrubs will be placed on the south side of the air conditioner unit and low growth evergreen plantings shall be planted along the retaining wall in front side of the house, in front of the air conditioner.

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.

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

1. The existing garage will remain on the site and will be sided to match the new house.
2. The applicant has the option of either four sides of house siding in Hardi Plank or Cement Board in Cedar Impressions or Certainteed in Light Maple color. Decorative stone work on the front facade will be in El Dorado natural stone. The window trim will be white and the shutters will be dark brown, with a mahogany front door. The garage doors will be carriage style door in a brown vinyl. Shutters shall be placed on the up and down set of windows on the left side elevations. The plans shall be revised.
3. Recessed lights will be in the porch ceiling facing downward. The plans shall be revised.
4. Carriage lights shall be noted on the plans on either side of the garage doors. The plans shall be revised.

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**Donovan Plans; Approved Subject to Conditions
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5. Evergreen shrubs will be placed on the south side of the air conditioner unit and low growth evergreen plantings shall be planted along the retaining wall in front side of the house, in front of the air conditioner.
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.

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.

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

**Dated: January 5, 2010
Town of Orangetown
Architecture and Community Appearance Board of Review**