

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE  
BOARD OF REVIEW - MEETING OF JULY 7, 2011**

**MEMBERS PRESENT:** Jack Messina, Chairperson;  
James Dodge, Vice Chairperson; Michael Bosco; Larry Vail; Jill Fieldstein  
and Dan Sherman

**MEMBER ABSENT:** Paul Papay

**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>Defiant Brewing Company Outdoor Dining Plan</b> Review of Outdoor Dining Plan 68.20/1/1./40; LI zoning district	<b>Approved with Conditions</b>	<b>ACABOR #11- 15</b>
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<b>The Saloon Outdoor Dining Plan</b> Review of Outdoor Dining Plan 68.16/1/7; CO zoning district	<b>Approved with Conditions</b>	<b>ACABOR #11-16</b>
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<b>The Rockland Conservatory of Music Plan</b> Review of Building Elevations 68.20-1-45; CO zoning district	<b>Approved with Conditions</b>	<b>ACABOR #11-17</b>
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<b>Hyun Site Plans</b> Review of Site Plans Palisades Historic District 78.18/2/13.1; R-40; LIO zone	<b>Approved with Conditions</b>	<b>ACABOR #11-18</b>
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<b>Highland Mews at Sparkill Plans</b> Review of Lighting Plan Sparkill Overlay Zone 77.08/5/49; CS zoning district	<b>Continued to July 21<sup>st</sup> Meeting</b>	<b>ACABOR #11-19</b>
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<b>Aerco International, Inc. Sign Plan</b> Bradley Corporate Park, Building 15 Review of Building Sign Plan 70.06/1/1.12; LO zoning district	<b>Approved with Conditions</b>	<b>ACABOR #11-20</b>
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**July 7, 2011**  
**Architecture and Community Appearance**  
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A motion was made to adjourn the meeting by Jack Messina 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 9:00 p.m. The next ACABOR Meeting is scheduled for July 21, 2011.

**Dated: July 7, 2011**  
**Town of Orangetown**  
**Architecture and Community Appearance Board of Review**

**ACABOR #11- 15**  
**Town of Orangetown – Architecture and Community Appearance**  
**Board of Review Decision**

**Defiant Brewing Company Outdoor Dining Plan- Approved**  
**with Conditions**  
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TO: Donald Brenner, 4 Independence Avenue, Tappan, New York  
10983

FROM: Architecture and Community Appearance Board of Review

RE: Defiant Brewing Company Outdoor Dining Plan: The application of Neill Acer, applicant, for Nick Miele, owner, for the Review of an outdoor dining plan at a site known as “Defiant Brewing Company 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 6 East 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 in the LI zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, July 7, 2011**, at which time the Board made the following determinations:

Donald Brenner and Neill Acer appeared and testified.

The Board received the following items:

1. Outdoor Café Plans prepared by Dennis Letson, P.E., & Associates, dated May 20, 2011:

Sheet 1 of 3: Site Layout

Sheet 2 of 3: Café Plan

Sheet 3 of 3: Elevation

**FINDINGS OF FACT:**

1. The Board found that the applicant proposed to use the following types of tables and chairs:
  - a. Six 66” pine picnic tables with attached benches
  - b. Three 48” round pine picnic tables with four 36” pine benches
  - c. The table finish will be a natural finish.
2. The Board found that the area to be used as the outdoor café measures 12’-6 ½’ by 43 ½’.
3. The Board found that the area will be fenced in with a railing that matches in color to the building coping. The fence will be PVC (vinyl) lattice style in a color to compliment the façade trim. The existing lighting is sufficient to light the area and no additional lighting will be added. No umbrellas are planned at this time.
4. The Board found that if the distance between the tables is too tight, only 3 tables will be placed across, rather than the 4 as noted on the plans.

**ACABOR #11- 15**

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

**Defiant Brewing Company Outdoor Dining Plan- Approved  
with Conditions**

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**No Public Comments.**

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

1. The applicant shall use the following types of tables and chairs:
  - a. Six 66” pine picnic tables with attached benches
  - b. Three 48” round pine picnic tables with four 36” pine benches
  - c. The table finish will be a natural finish.
2. If the distance between the tables is too tight, only 3 tables will be placed across, rather than the 4 as noted on the plans.
3. The outdoor café area will be fenced in with a railing that matches in color to the building coping. The fence will be PVC (vinyl) lattice style in a color to compliment the façade trim. The existing lighting is sufficient to light the area and no additional lighting will be added.

The foregoing resolution was presented and moved by Larry Vail and seconded by Jack Messina and carried as follows: James Dodge, aye; Dan Sherman, aye; Michael Bosco, aye, 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: July 7, 2011**

Architecture and Community Appearance Board of Review

**ACABOR #11- 16**

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

**The Saloon Outdoor Dining Plan- Approved with Conditions**

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TO: Donald Brenner, 4 Independence Avenue, Tappan, New York  
10983

FROM: Architecture and Community Appearance Board of Review

RE: The Saloon Outdoor Dining Plan: The application of 45-49 W. Central Avenue, LLC., for the Review of an outdoor dining plan at a site known as “The Saloon 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 55 West Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 7 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, July 7, 2011**, at which time the Board made the following determinations:

Donald Brenner and Bridget Keller appeared and testified.

The Board received the following items:

1. Photographs of the proposed railing, umbrellas, furniture, and bricking to be used at the outdoor dining area.
2. Site Plan prepared by Robert Rahnefeld, PLS, dated January 21, 2008.

**FINDINGS OF FACT:**

1. The Board found that an orange line on the Site Plan depicted a connection from the proposed outdoor dining area to the larger parcel where the Saloon restaurant is located.
2. The Board found that the applicant proposed to place 10 to 12 tables with chairs and umbrellas at the outdoor dining area, with a festive decorative appeal. The ground would be surfaced with pavers. A retaining wall would be constructed to level the ground for the pavers. A black aluminum fence would surround the outdoor dining area, and about 46 chairs would be placed around the tables.
3. The Board found that the wall of the building would be painted, with the permission of the building owner.
4. The Board found that there is sufficient existing outdoor lighting in the area and no new lighting would be added for the new outdoor dining use.
5. The Board found that the existing fire hydrant on Central Avenue would be located 5 to 6 feet away from the proposed entrance to the outdoor dining area.

**No Public Comments.**

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

**ACABOR #11- 16**

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

**The Saloon Outdoor Dining Plan- Approved with Conditions**

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1. The applicant shall place 10 to 12 tables with chairs and umbrellas at the outdoor dining area, with a festive decorative appeal. The ground will be surfaced with pavers. A retaining wall will be constructed to level the ground for the pavers. A black aluminum fence will surround the outdoor dining area, and about 46 chairs will be placed around the tables.
2. The wall of the building will be painted, with the permission of the building owner.
3. There is sufficient existing outdoor lighting in the area and no new lighting will be added for the new outdoor dining use.

The foregoing resolution was presented and moved by Jack Messina and seconded by Jill Fieldstein and carried as follows: James Dodge, aye; Dan Sherman, aye; Michael Bosco, aye, 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: July 7, 2011**

**Town of Orangetown**

**Architecture and Community Appearance Board of Review**

**ACABOR #11- 17**

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

**The Rockland Conservatory of Music Plan – Approved with Conditions**

**July 7, 2011**

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TO: Jeffrey Hall, R.A., 251 W. 102<sup>nd</sup> Street, Suite 2A, New York,  
New York 10025

FROM: Architecture and Community Appearance Board of Review

RE: The Rockland Conservatory of Music Plans: The application of Jeffrey Hall, applicant, for The Rockland Conservatory of Music, owner, for the Review of building elevations at a site known as “The Rockland Conservatory of Music 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 45 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 45 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, July 7, 2011**, at which time the Board made the following determinations:

Jeffrey Hall and Marigene Kettler appeared and testified.

The Board received the following items:

1. East Elevation Sections Plan & Details Plan prepared Jeffrey Hall, R.A., dated January 27, 2011.
2. Site Plan prepared by Robert Sorace, PLS, dated December 7, 2010.
3. Submitted at the meeting, a photograph of the existing front elevation of the building and a schematic of the proposed façade.

**FINDINGS OF FACT:**

1. The Board found that the applicant planned to remodel the façade of the building in two steps. This first step is the lower portion of the east façade of the structure. The main material would be creamy white cement stucco. The stucco turns the corners of the south side of the building for 18 feet. The remaining portion of the east side, the west and the north sides of the building is cement, and will be painted to match the newly stuccoed façade color.
2. The Board found that 60 watts light fixtures will be placed on the front façade as “Identity” lights. No other new lighting will be installed.
3. The Board found that the applicant shall return to ACABOR for review and approval of Step #2 of the building façade remodeling plan.

**No Public Comments.**

**ACABOR #11- 17**

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

**The Rockland Conservatory of Music Plan – Approved with Conditions**

**July 7, 2011**

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

1. The applicant planned to remodel the façade of the building in two steps. This first step is the lower portion of the east façade of the structure. The main material will be creamy white cement stucco. The stucco turns the corner of the south side of the building for 18 feet. The remaining portion of the side east side, the west and the north sides of the building is cement, and will be painted to match the newly stuccoed façade color.
2. Sixty watts light fixtures will be placed on the front façade as “Identity” lights. No other new lighting will be installed.
3. The applicant shall return to ACABOR for review and approval of Step #2 of the building façade remodeling plan.

The foregoing resolution was presented and moved by Jack Messina and seconded by James Dodge and carried as follows: James Dodge, aye; Dan Sherman, aye; Michael Bosco, aye, 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: July 7, 2011**

**Town of Orangetown**

**Architecture and Community Appearance Board of Review.**



**ACABOR #11-18**

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

**Hyun Site Plans – Lot 13.1- Approved Subject to Conditions**

**July 7, 2011**

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TO: Mikyong Hyun, 42 Woods Road, P.O. Box 689, Palisades, NY  
FROM: Architecture and Community Appearance Board of Review

RE: Hyun Site Plans: The application of Mikyong Hyun, owner, for the Review of Site Plans at a site known as “Hyun 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 139 Washington Spring Road, Palisades, in the Palisades Historic District, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 78.18, Block 2, Lot 13.1 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, July 7, 2010**, at which time the Board made the following determinations:

Mikyong and Chul Hyun appeared and testified.

The Board received the following items:

1. Copy of HABR #11-09, Approved with Conditions, dated June 14, 2011.
2. Hyun Residence Architectural Plans prepared John Ricotta, R.A., dated May 9, 2010.

A-1: Plot Plan

A-6: West Elevation

A-7 East Elevation

A-8 North/South Elevations

A-5: Foundation and Basement Plan

A-6: First Floor Plan

A-7: Second Floor Plan

**FINDINGS OF FACT:**

1. The Board found that the applicant proposed to add an addition to an existing old house and renovate the house. The house was reviewed and approved by the Town of Orangetown Historic Areas Board of Review on June 14, 2011. ACABOR is to review the site and landscaping of the project.
2. The Board found that the old walkways on the site were to be saved.
3. The Board found that the site contains many mature trees.

**ACABOR #11-18**

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

**Hyun Site Plans – Lot 13.1- Approved Subject to Conditions**

**July 7, 2011**

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No Public Comments.

**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.
3. The applicant shall make every effort to save the old walkways on the site.

The foregoing resolution was presented and moved by Jack Messina and seconded by Larry Vail and carried as follows: James Dodge, aye; Dan Sherman, aye; Michael Bosco, aye, 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: July 7, 2010**

**Town of Orangetown**

**Architecture and Community Appearance Board of Review.**

**ACABOR #11-20**

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

**Aerco International, Inc. Sign Plans, Building No. 15, Section IV-  
Approved with Conditions**

**July 7, 2011**

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TO: Anthony Laraia, 100 Oritani Drive, Blauvelt, New York 10913  
FROM: Architecture and Community Appearance Board of Review

RE: Aerco International, Inc. Sign Plan, Building No. 15, Section IV: The application Bradley Corporate Park, owner, for review of a Sign Plan, for a site known as “Aerco International, Inc. 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 Bradley Corporate Park, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.06, Block 1, Lot 1.12 in the LO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, July 7, 2011**, at which time the Board made the following determinations:

Anthony Laraia appeared and testified.

The Board received the following items:

1. Sign Plans prepared by William Mandara, Jr., R.A. dated May 19, 2011.
2. Copy of ACABOR #10-30, Approved with Conditions, dated July 15, 2010.

**FINDINGS OF FACT:**

1. The Board found the review consisted only of the building sign plan. The sign would be a monument sign that would be located in front of the Aerco International Building.
2. The Board found that the sign would measure 96” by 36”, with a brushed Aluminum Cabinet top, ends and sides with base painted light grey.
3. The Board found that lettering would be black Acrylic lettering. “Aerco” would be 18” and “International Inc.” would be 4” , applied directly to the cabinet.

**Public Comment:**

Jack Denefrio, 1 Avis Court, Blauvelt, requested information regarding the location of the sign on the project site.

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

**ACABOR #11-20**

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

**Aerco International, Inc. Sign Plans, Building No. 15, Section IV-  
Approved with Conditions**

**July 7, 2011**

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1. The sign will be a monument sign that would be located in front of the Aerco International Building.
2. The sign will measure 96” by 36”, with a brushed Aluminum Cabinet top, ends and sides with base painted light grey.
3. The lettering will be black Acrylic lettering; “Aerco” will be 18” and “International Inc.” will be 4” , applied directly to the cabinet.

The foregoing resolution was presented and moved by Jill Fieldstein and seconded by Michael Bosco and carried as follows; James Dodge, aye; Dan Sherman, aye; Michael Bosco, aye, 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: July 7, 2011**

**Town of Orangetown**

**Architecture and Community Appearance Board of Review**