

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW - MEETING OF JUNE 16, 2009**

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

**MEMBER ABSENT:** None

**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>Restaurant Depot Plan</b> Building #2 – Bradley Corporate Park Reaffirmation of the Review of the Site/Structure 65.18/1/16; LI & LIO zoning district	<b>Approved with Conditions</b>	<b>ACABOR #09-19</b>
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<b>Lowe's Garden Center Expansion Plan</b> Review of the Site/Structure of the Garden Center 74.15/1/3 & 4; LI zoning district	<b>Approved with Conditions</b>	<b>ACABOR #09-20</b>
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<b>CONSULTATION:</b> <b>Orangeburg Racquet Club Plan</b> Formation of a Landscaping Remediation Plan/ Amendment to the Landscaping Plan 77.05/1/1; LI0 zoning district	<b>Continued</b>	<b>ACABOR #09-21</b>
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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 July 7, 2009.

**Dated: June 16, 2009**  
**Town of Orangetown**  
**Architecture and Community Appearance Board of Review**

**ACABOR #09-19 - Restaurant Depot Plans- Building #2 – Bradley Corporate Park- Reaffirmation of the Review of Site/Structure Plans -Approved Subject to Conditions**

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TO: John F. Magee, 500 Bradley Hill Road, Blauvelt, New York 10913  
FROM: Architecture and Community Appearance Board of Review  
RE: **Restaurant Depot Plans - Building #8; Bradley Corporate Park:** The application of Bradley Corporate Park, owner, for the review of the Reaffirmation to Site/Structure plans to a site to be known as “**Restaurant Depot 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 100 Corporate Drive, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 65.18, Block 1, Lot 16 in the LI & LIO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday, June 16, 2009**, at which time the Board made the following determinations:

John Magee appeared and testified.

The Board received the following items:

1. Amended Site Plan Restaurant Building 8 prepared by Corless and Associates dated January 18, 2008, last revised March 5, 2008.
2. Bradley Corporate Park Building 8 Site Plan prepared by Adler & Young, dated April 30, 1987, last revised February 1, 1990.
3. Planting and Lighting Plan Bradley Corporate Park Building #8, prepared by Robert Torgersen, ASLA, dated June 1, 1988, last revised December 19, 1988.
4. Architectural Plans prepared by Metropolis dated April 4, 2009:
  - a. A1.1: Plans & Elevations, revised April 27, 2009
  - b. A1.2: Plans & Elevations, revised April 27, 2009
  - c. A1.3: Elevations & Details, revised May 4, 2009
  - d. A1.4: Sections & Details
5. A memorandum to the Architecture and Community Appearance Board of Review, dated May 13, 2009, signed by John F. Magee, owner.
6. A copy of PB #08-11, Amendment to Bradley Corporate Park Site Plan, Restaurant Depot Plan – Building #8, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated February 27, 2008.

**ACABOR #09-19 - Restaurant Depot Plans- Building #2 – Bradley Corporate Park- Reaffirmation of the Review of Site/Structure Plans -Approved Subject to Conditions**

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7. A copy of the Application for Building/Demotion Permit, dated by the Director of the Building Department, John Giardiello, January 23, 2008.
8. Submitted at the meeting, architectural renderings of the proposed buildings.

**FINDINGS OF FACT:**

1. The Board found that the structure would match existing structures on site; the facade would be in a red colored brick manufactured by KF Heritage S and the trim would be a dark buff color. The roof would be a flat black roof.
2. The Board found that the proposed Landscaping Plan to be acceptable.
3. The Board found that the proposed lighting would be down lit and that there would be no spot lights on the building.

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 structure will match existing structures on site; the facade will be in a red colored brick manufactured by KF Heritage S and the trim will be a dark buff color. The roof will be a flat black roof.
2. Lighting will be down lit and no spot lights will be on the building.
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 Thomas Miggie and seconded by Jack Messina and carried as follows: James Dodge, aye; Dan Sherman, aye; Thomas Miggie, aye, Jack Messina, aye, Jill Fieldstein, aye; Paul Papay, 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: June 16, 2009**

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

**ACABOR #09-20 –Lowe’s Garden Center Expansion Plans - Approved  
Subject to Conditions**

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TO: Brian Nelson, 6700 Antioch #300, Merriam, Kansas 66204  
FROM: Architecture and Community Appearance Board of Review  
RE: **Lowe’s Garden Center Expansion Plans:** The application of Brian Nelson, applicant, for Orangeburg Holdings, LLC, owner, for the review of Site/Structure plans for the expansion of the garden center at a site known as “**Lowe’s Garden Center Expansion 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 206 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.15, Block 1, Lots 3 & 4 in the LI zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Tuesday, June 16, 2009**, at which time the Board made the following determinations:

Brian Nelson appeared and testified for the applicant

The Board received the following items:

1. Plans prepared by APD Engineering & Architecture:
  - Drawing 0V-1: Overall Site Plan - April 2, 2009
  - Drawing C1: Site Plan – February 10, 2009, revised March 26, 2009
  - Drawing C2: Grading, Drainage & Erosion Control Plan - February 10, 2009
  - Drawing C3: Detail Sheet – February 10, 2009
2. PB #09-02, Preliminary Site Plan Approval Subject to Conditions, dated March 25, 2009.

**FINDINGS OF FACT:**

1. The Board found that the expansion consisted of 28,155 square feet of space, shade cloth and canopy and chain link fence. The propose fence matches the existing fence on the site.
2. The Board found that the building materials to be used matches material used on the site.
3. The Board found that the lighting in the existing garden center will be used to light up the newly expanded 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.

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**ACABOR #09-20 –Lowe’s Garden Center Expansion Plans - Approved  
Subject to Conditions**

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

1. The propose fence matches the existing fence on the site.
2. The building materials to be used matches materials used on the site.
3. The lighting in the existing garden center will be used to light up the newly expanded area.
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.

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; Thomas Miggie, aye, Jack Messina, aye, Jill Fieldstein, aye; Paul Papay, 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: June 16, 2009**

**Town of Orangetown**

**Architecture and Community Appearance Board of Review**