

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW - MEETING OF MARCH 17, 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.

Route 9W Golf Subdivision-Lot 3.3 Review of Site Plans Palisades Historic District 78.13/1/3.3; R-40 zoning district	Approved with Conditions	ACABOR #09-04
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Tri-Bee – Grove Street Lot #1 Plans Review of Site/Structure Plans 68.20/4/30; RG zoning district	Continued: Revise Site/House Plans	ACABOR #09-06
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Sapienza Subdivision Plans Review of Subdivision Plans Critical Environmental Area 65.20/1/7; R-40 zoning district	Approved with Conditions	ACABOR #09-07
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A motion was made to adjourn the meeting by Thomas Miggie and seconded by Jack Messina 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 8:40 p.m. The next ACABOR Meeting is scheduled for April 7, 2009.

Dated: March 17, 2009

**#09-04 - TOWN OF ORANGETOWN - ARCHITECTURE AND COMMUNITY
APPEARANCE BOARD OF REVIEW DECISION
March 17, 2009**

**Route 9W Golf Subdivision – Lot #3.3 Plans- Approved Subject to
Conditions
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TO: Marc Comito, 87 Sixth Avenue, Nyack, New York 10960
FROM: Architecture and Community Appearance Board of Review
The application of Marc Comito, Comito Construction Co., applicant, for Jared Cohen, owner, for the review of a Site/Structure Plans for a site to be known as "Route 9W Golf Subdivision – Lot 3.3", 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 3.3, in the R-40 zoning district.

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

February 17, 2009

Marc Comito, Robert Hoene and Jay Greenwell appeared and testified.

The Board received the following items:

1. Site Plan prepared by Atzl, Scatassa & Zigler, dated September 15, 2008, revised September 23, 2008.
2. Architectural Plans prepared by Robert Hoene, RA, dated January 2009, revised January 14, 2009:
 - A-1: Front & Right Elevations
 - A-2: Rear & Left Elevations
 - A-3: Foundation Plan
 - A-4: First Floor Plan
 - A-5: Second Floor Plan
 - A-6: Typical Wall Details
3. A photograph of a similar house to be constructed.
4. A letter signed by Larry Bucciarelli, 799 Oak Tree Road, Palisades, dated February 11, 2009.

FINDINGS OF FACT:

1. The Board found the applicant was scheduled to appear in front of the Historic Areas Board of Review to review the House since the lot was located in the Palisades Historic District. ACABOR was to review only the Site Plan.

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**Route 9W Golf Subdivision – Lot #3.3 Plans- Approved Subject to
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2. The Board found that the subdivision had been a golf course and that the site does not contain significant trees. The Board noted that the plantings on the berm required by the Subdivision are dying and should be maintained by the property owner of the subdivision. (7 dead trees and 20 plants need to be replaced).

3. The Board found that the applicant needed to reappear in front of ACABOR with a Landscaping Plan, identifying the proposed plantings around the house. The Board requested that the applicant propose more shade trees on the site and that the plantings should reflect the proportion of the house.

Public Comment:

Eugene Cohn, Palisades, stated that he appreciated the concern of the Board for the additional plantings and in the keeping of the character of the area. He requested that the site be not overly illuminated. Mr. Cohn wanted the site to remain quite, dark and wooded.

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

March 17, 2009

Marc Commito and Robert Hoene appeared and testified.

The Board received the following items:

1. Landscaping Plan prepared by Biologic Earthscapes, signed and sealed by Christopher Cohen, LA, dated February 27, 2009. Attached Street & Berm Planting List, dated February 27, 2009.

FINDINGS OF FACT:

1. The Board found that the Town of Orangetown Historic Areas Board of Review approved the House Plan at the Meeting of March 10, 2009.
2. The Board found that three trees in the front of the yard should be increased to a minimum of 3 inch caliber.

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.

**#09-04 - TOWN OF ORANGETOWN - ARCHITECTURE AND COMMUNITY
APPEARANCE BOARD OF REVIEW DECISION
March 17, 2009**

**Route 9W Golf Subdivision – Lot #3.3 Plans- Approved Subject to
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DESICION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO THE FOLLOWING CONDITIONS**

1. The three trees in the front of the yard shall be increased to a minimum of 3 inch caliber.
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.
4. 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 James Dodge and seconded by Thomas Miggie and carried as follows; James Dodge, aye; Dan Sherman, recused; Thomas Miggie, aye, Jack Messina, aye; Paul Papay, recused; 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: March 17, 2009

Architecture and Community Appearance Board of Review

**#09-07 - TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY
APPEARANCE BOARD OF REVIEW DECISION
March 17, 2009**

**Sapienza Subdivision Plan; Approved subject to Conditions
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TO: Daimina Holowinski; Pilla Associates, 23 Depew Avenue, Nyack,
New York 10960
FROM: Architecture and Community Appearance Board of Review
RE: **Sapienza Subdivision Plans:** The application of Joseph Sapienza,
owner for the review of a two lot subdivision at a site to be known as "Sapienza
Subdivision 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, 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.

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

1. Subdivision Plan prepared by Dominick Pilla Associates, dated
August 26, 2008, last revised February 24, 2009:

SP-00: Cover Sheet

SP-01: Subdivision Plat

SP-02: Site Layout and Utility Plan

SP-03: Slope Analysis, Site Grading and Erosion Control Plan

SP-04: Driveway Profiles and Sections

2. Copies of PB #07-72, dated November 12, 2008, Preliminary Approval
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 this application is reviewing only the subdivision of
property and not reviewing or approving site or architectural plans.
2. The Board found that the individual sites and houses would be reviewed
at the time each lot would be developed.

Public Comment:

Peter Coquitte, 257 South Boulevard, Upper Grandview, raised concerns
regarding the driveway and the resulting car headlight glare shining onto his
property. He requested that the Board consider some type of plantings along
driveway stone wall.

**#09-07 - TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY
APPEARANCE BOARD OF REVIEW DECISION
March 17, 2009**

**Sapienza Subdivision Plan; Approved subject to Conditions
Page 2 of 2**

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

1. Prior to any construction, grading or removal of trees on the site, the applicant must return to ACABOR for review and approval of any construction on the site.
2. This application is reviewing only the subdivision of property and not reviewing or approving site or architectural plans.
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 Thomas Miggie, and seconded by Jack Messina carried as follows: James Dodge, aye; 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: March 17, 2009

Architecture and Community Appearance Board of Review