

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW - MEETING OF MAY 3, 2012**

MEMBERS PRESENT: Paul Papay, Chairman; Jill Fieldstein, Thomas Warren, Blythe Yost and Alex DiMenna

MEMBERS ABSENT: Jack Messina, Vice Chairman, and James Dodge,

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

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

New Items:

No 1 Kitchen Sign Plans Review of Sign Plans 69.13/1/23; CC zoning district	Approved Subject to Conditions	ACABOR #12-26
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Ansbro Amendment Plans Review of an Amendment to ACABOR #11-40 68.12/5/40; RG zoning district	Approved Subject to Conditions	ACABOR #12-27
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Chinese Evangelical Church Fence Plan Review of Fence Plan 69.05/1/1 & 2; CO zoning district	Approved Subject to Conditions	ACABOR #12-28
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Boera Plans Review of an Addition to Existing House 69.06/1/74; R-15 zoning district	Approved Subject to Conditions	ACABOR #12-29
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Continued from the April 5, 2012 Meeting:

Orangeburg Commons Mixed Use Plan with Food Market Site Plan Review of an Amendment to the Approved Site Plan, Structure and Landscaping Plans 74.15, Block 1, Lot 21; LI zoning district	Approved Subject to Conditions	ACABOR #12-20
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May 3, 2012
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Board of Review Meeting
Town of Orangetown

A motion was made to adjourn the meeting by Thomas Warren 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 10:00 p.m. The next ACABOR Meeting is scheduled for May 17, 2012.

Dated: May 3, 2012
Town of Orangetown
Architecture and Community Appearance
Board of Review

ACABOR #12-26: No 1 Kitchen Sign Plans - Approved with Conditions

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

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TO: Bin Chen, 1 Sgt. Ingram Court, Pearl River, New York
FROM: Architecture and Community Appearance Board of Review

RE: No 1 Kitchen Sign Plans: The application of Bin Chen, applicant, for Iraklis Realty, owner, for the review of sign plans, at a site known as “**No 1 Kitchen 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 79 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.13, Block 1, Lot 23 in the CC zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, May 3, 2012**, at which time the Board made the following determinations:

Bin Chen appeared and testified.

The Board received the following items:

1. Sign Plans, prepared by SNS Architects & Engineers, dated March 30,2012 and Site Plan depicting location of signs.

FINDINGS OF FACT:

1. The Board found the two signs are proposed for adjacent storefronts, “No 1 KITCHEN TAKE OUT 735-4990” and “SUSHI ALL YOU CAN EAT 734-4991.”
2. The Board found that both signs were described as follows:
 - 30” (18”) illuminated Channel Letters
 - 0.040 Green Aluminum Return
 - 1” Golden Plastic Trim-Cap
 - 3/16 Blue & Red White Plexi
 - Red & White LED
 - W. U/L Label
 - Transformer will be concealed
3. The Board found that the color red would be used for “No 1 KITCHEN” with “TAKE OUT 735-4990” in black lettering on a white background.
4. The Board found that the color blue would be used for “SUSHI” with “ALL YOU CAN EAT 734-4991” in black lettering on a white background

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.

ACABOR #12-26: No. 1 Kitchen Sign Plan - Approved with Conditions

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

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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. Two signs are proposed for adjacent storefronts, “No 1 KITCHEN TAKE OUT 735 - 4990” and “SUSHI ALL YOU CAN EAT 734 - 4991”. Both signs are described as follows:
 - 30” (18”) illuminated Channel Letters
 - 0.040 Green Aluminum Return
 - 1” Golden Plastic Trim-Cap
 - 3/16 Blue & Red White Plexi
 - Red & White LED
 - W. U/L Label
 - Transformer will be concealed
2. The color red will be used for “No 1 KITCHEN” with “TAKE OUT 735 - 4990” in black lettering on a white background.
3. The color blue will be used for “SUSHI” with “ALL YOU CAN EAT 734 - 4991” in black lettering on a white background
4. The sizing of the lettering is approved as shown on the submitted plans.

The foregoing resolution was presented and moved by Alex DiMenna and seconded by Jill Fieldstein and carried as follows; Paul Papay, Chairman, aye; Jack Messina, Vice Chairman, absent; Jill Fieldstein, aye; James Dodge, absent; Thomas Warren, aye; Blythe Yost, aye; and Alex DiMenna, 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: May 3, 2012

Town of Orangetown

Architecture and Community Appearance Board of Review

**ACABOR #12-40: Ansbro Plans - Approved Subject to Conditions;
Amendment to ACABOR #11-40**

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

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TO: Andrew Ansbro, 11 Cairnsmuire Lane, New City, New York 10956
FROM: Architecture and Community Appearance Board of Review

RE: Ansbro Amendment Plans: The application of Andrew Ansbro, owner, for the review of an Amendment to ACABOR #11-40, dated September 22, 2011, Review of Amendment Plans, at a site to be known as “**Ansbro Amendment 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 109 Brightwood Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.12, Block 5, Lot 40 in the RG zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, May 3, 2012**, at which time the Board made the following determinations:

Andrew Ansbro appeared and testified.

The Board received the following items:

1. Revised Architectural Plans, prepared by John Perkins, R.A:
 - Sheet 10 of 12: Elevations, dated June 26, 2011, revised April 9, 2012.
2. Landscaping Plan, as required under ACABOR #11-40, condition #2.

FINDINGS OF FACT:

1. The Board found that the applicant requested the following modifications to ACABOR #11-40:
 1. Removal of the stone work from the front of the building and siding that portion with Hardie Plank. The chimney remains stonework.
 2. The addition of an exterior door on the main floor, exiting on the side of the house by the mudroom.
 3. The addition of a small deck, allowing access over the basement stairway.
2. The Board found that the applicant planned to use the same colors of Hardie Plank siding as requested under ACABOR #11-40; the first level of the house will have Mountain Sage color Hardie Plank (green) and the second level will have Timber Bark color (brown). The stonework on the chimney would be Pennsylvania Ledge Stone Cultured Stone in grey tones. The roof would be Charcoal shingles, manufactured by Timberline and the house trim would be white.

**ACABOR #12-40: Ansbro Plans - Approved Subject to Conditions
Amendment to ACABOR #11-40, dated September 22, 2011**

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3. The Board found that on the front elevation the second story gables would have decorative Hardi Shingle Siding. The plans needed to be revised to note the left side gable as having "Decorative Hardi Shingle Siding".
4. The Board found that ACABOR #11-40 required the applicant present the Landscaping Plan for review and approval, prior to obtaining a Certificate of Occupancy. The Board reviewed the Landscape Plan and discussed plantings along the property line adjacent to the driveway.
5. The Board found that the air conditioning unit would be placed to the rear of the chimney, adjacent to the house.

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 Landscaping Plan was reviewed and approved as presented.
2. The requested modifications to the Architectural Plan were approved as follows:
 - Removal of the stonework from the front of the building and siding that portion with Hardie Plank. The chimney remains stonework.
 - The addition of an exterior door, on the main floor, exiting on the side of the house by the mudroom.
 - The addition of a small deck, allowing access over the basement stairway.
3. Hardie Plank shall be used for all four elevations of the house. The first level of the house will have Mountain Sage color Hardie Plank (green) and the second level will have Timber Bark color (brown). The stonework on the chimney would be Pennsylvania Ledge Stone Cultured Stone in grey tones. The roof would be Charcoal shingles, manufactured by Timberline and the house trim will be white.
4. Sheet 10 of 12: Elevations - shall be revised to note the second story left side gable as having decorative Hardi Shingle Siding.
5. The air conditioning unit shall be placed to the rear of the chimney, adjacent to the house.
6. Trees to be saved shall be protected with snow fencing to the drip line during construction.

**ACABOR #12-40: Ansbro Plans - Approved Subject to Conditions;
Amendment to ACABOR #11-40**

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7. 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 Alex DiMenna and seconded by Jill Fieldstein and carried as follows; Paul Papay, Chairman, aye; Jack Messina, Vice Chairman, absent; Jill Fieldstein, aye; James Dodge, absent; Thomas Warren, aye; Blythe Yost, aye; and Alex DiMenna, 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: May 3, 2012

Town of Orangetown

Architecture and Community Appearance Board of Review

**ACABOR #12-28: Chinese Evangelical Church Fence Plan – Approved
Subject to Conditions**

**Town of Orangetown – Architecture and Community Appearance Board of
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TO: Victor Chiu, 456 North Middletown Road, Pearl River, New York
FROM: Architecture and Community Appearance Board of Review

RE: Chinese Evangelical Church Fence Plan: The application of the Chinese Evangelical Church, owner, for the review of an extension of an existing fence, at a site know as “**Chinese Evangelical Church Fence 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 456 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.05, Block 1, Lots 1 & 2 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, May 3, 2012**, at which time the Board made the following determinations:

Victor Chiu appeared and testified for the applicant.

The Board received the following items:

1. Fence Specifications.
2. Site Plan noting location and types of fencing.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to use two styles of fencing;
1) White vinyl Lakeland style fencing with gothic caps that match the existing fence on site. This fencing is solid, measures six (6) feet high and will be placed as noted on the submitted site plan.
2) White vinyl Malibu style fencing, placed as noted on the submitted site plan. This fencing is semi-private, with a maximum height of four and one half (4½) feet and placed as noted on the site plan. There will also be two (2) gates, each measuring four (4) feet wide with locks, placed as noted on the plan.
2. The Board found that the design of the fencing is a result of Town Code. The Town of Orangetown Zoning Code offers the following: “A fence or freestanding wall not more than 4½ feet in height is permitted within a required front yard. A fence over 6 foot height is permitted in the side and rear yards....”
3. The Board found that a more consistent fence design would be achieved if fence segment G to E was to be changed from semi private Malibu style to solid private Lakeland style fencing. The height of this section shall remain at four and one half (4½) feet.

**ACABOR #12-28: Chinese Evangelical Church Fence Plan – Approved
Subject to Conditions**

**Town of Orangetown – Architecture and Community Appearance Board of
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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 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The applicant proposed to use two styles of fencing;
 - 1) White vinyl Lakeland style fencing with gothic caps that match the existing fence on site. This fencing is solid, measures six (6) feet high and shall be placed as noted on the submitted site plan.
 - 2) White vinyl Malibu style fencing shall be placed as noted on the submitted site plan. This fencing is semi-private, with a maximum height of four and one half (4½) feet. There will also be two (2) gates, each measuring four (4) feet wide with locks, placed as noted on the plan.
2. In order to achieve a more consistent fence design, fence segment G to E shall be changed from semi private Malibu style to solid private Lakeland style fencing. The height of this section shall remain at four and half (4½) feet.
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 Alex Dimenna and seconded by Thomas Warren and carried as follows; Paul Papay, Chairman, aye; Jack Messina, Vice Chairman, absent; Jill Fieldstein, aye; James Dodge, absent; Thomas Warren, aye; Blythe Yost, aye; and Alex DiMenna, 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: May 3, 2012
Town of Orangetown
Architecture and Community Appearance Board of Review**

ACABOR #12-29: Boera Plans- Approved Subject to Conditions

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

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TO: Jane Slavin, 200 East Erie Street, Blauvelt, New York

FROM: Architecture and Community Appearance Board of Review

RE: Boera Plans: The application of Catherine and William Boera, owners, for the review of an addition to an existing house, at a site to known as “**Boera 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 77 Villa Drive, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.06, Block 1, Lot 74 in the R-15 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, May 3, 2012**, at which time the Board made the following determinations:

Jane Slavin, Catherine and William Boera appeared and testified.

The Board received the following items:

1. Architectural Plans, prepared by Jane Slavin, RA, dated September 26, 2011, last revised October 12, 2011:
 - A-3 of 6: First and Second Floor Plans
 - A-4 of 6: Elevations
2. Land Survey, prepared by Robert Sorace, PLS, dated May 12, 2009, last revised September 28, 2011.
3. A copy of ZBA #11-106, Variances for Side Yard, Total Side Yard and Building Height, dated December 7, 2011.
4. Proposed Planting Plan, prepared by Jane Slavin, RA, undated.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to construct an addition to an existing house.
2. The Board found that the entire house would be sided in Olive (dark green) vinyl siding, manufactured by Certainteed. The trim and windows would be white. The roof would be asphalt shingles manufactured by GAF in Weathered Wood. The foundation of the house and the addition would be covered with stucco, as presently exists.
3. The Board found that the chimney would be vinyl sided to match the main field color of the house, olive. The applicant noted that there were other houses in the neighborhood with similar vinyl sided chimneys. The existing stucco portion is screened by existing landscaping to remain. The stucco portion of the addition will be screened by the proposed landscaping.
4. The Board found that one ash tree on the north side of the site would need to be removed in order to accommodate the driveway.

ACABOR #12-29: Boera Plans- Approved Subject to Conditions

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5. The Board found that the plants noted on the Proposed Planting Plan were mostly relocated plants from the existing site.
6. The Board found that the front walkway would be expanded and shifted over approximately four (4) feet.
7. The Board found that the site lighting would be in accordance with Town of Orangetown Code.
8. The Board found that the air conditioning unit would be located on the south side of the lot, near the rhododendron plant, as noted on the Proposed Planting Plan. The rhododendron shall be planted in a staggered manner around the unit in order to visually hide the unit.

Public Comment:

Mike Castello, 85 Villa Road, Pearl River: requested information regarding the plans. Mr. Castello raised concerns regarding the safety of the location of the driveway.

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 entire house will be sided in Olive (dark green) vinyl siding, manufactured by Certainteed and the trim and windows will be white. The roof will be asphalt shingles manufactured by GAF in Weathered Wood. The foundation of the house and the addition will be covered with stucco, as presently exists. The existing stucco portion is screened by existing landscaping to remain. The stucco portion of the addition will be screened by the proposed landscaping.
2. The chimney will be vinyl sided to match the main field color of the house, olive. There are other houses in the neighborhood with similar vinyl sided chimneys.
3. One ash tree on the north side of the site will be removed in order to accommodate the driveway.
4. The front walkway will be expanded and shifted over approximately four (4) feet.
5. The site lighting shall be in accordance with Town of Orangetown Code.
6. The air conditioning unit shall be located on the south side of the lot, near the rhododendron plant, as noted on the Proposed Planting Plan. The rhododendron shall be planted in a staggered manner around the unit in order to visually hide the unit.
7. Trees to be saved shall be protected with snow fencing to the drip line during construction.

ACABOR #12-29: Boera Plans- Approved Subject to Conditions

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

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8. 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 Alex DiMenna and seconded by Blythe Yost and carried as follows; Paul Papay, Chairman, recused; Jack Messina, Vice Chairman, absent; Jill Fieldstein, aye; James Dodge, absent; Thomas Warren, aye; Blythe Yost, aye; and Alex DiMenna, 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: May 3, 2012

Town of Orangetown

Architecture and Community Appearance Board of Review

ACABOR #12-20: Orangeburg Commons Mixed Use with Food Market Site Plan, Structure and Landscaping Plans

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

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TO: Fred Doneit, Tuner Miller Group, 2 Executive Blvd, Suffern, NY
FROM: Architecture and Community Appearance Board of Review

RE: Orangeburg Commons Amendment to Approved Site Plan, Structures and Landscaping Plans: The application of Orangetown FB, LLC c/o RD Management, owner, for a site to be known as “Orangeburg Commons Amendment to Approved Site Plan, Structures and Landscaping 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 on the south side of Stevens Way, 100 feet west of the intersection of Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.15, Block 1, Lot 21 in the LI zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Thursday, April 5 and May 3, 2012**, at which time the Board made the following determinations:

April 5, 2012

Geraldine Tortorella, Nathaniel Burns, Chuck Busch, Edward Taylor, Justin Lim, Fred Doneit, Christina Moreau, Susan Griffin, Robert Benavenga and Bill Buzzard appeared and testified. The Board received the following items:

1. Site Plans, prepared by Leonard Jackson Associates, dated February 1, 2012, revised March 9, 2012, or as noted:
 - Drawing # 1: Title Sheet,
 - Drawing #2: Layout Plan,
 - Drawing #2A: Layout Plan (Part Plan A)
 - Drawing #2B: Layout Plan (Part Plan B)
 - Drawing #3: Grading, Drainage & Utility Plan
 - Drawing #3A: Grading, Drainage & Utility Plan (Part Plan A)
 - Drawing #3B: Grading, Drainage & Utility Plan (Part Plan B)
 - Drawing #4: Erosion & Sediment Control Plan
 - Drawing #4A: Erosion & Sediment Control Plan (Part Plan A)
 - Drawing #4B: Erosion & Sediment Control Plan (Part Plan B)
 - Drawing #4C: Erosion & Sediment Control Plan
 - Drawing #5: Landscaping Plan

**ACABOR #12-20: Orangeburg Commons Mixed Use with Food Market Site
Plan Structure and Landscaping Plans**

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Drawing #5A: Landscaping Plan (Part Plan A)

Drawing #5B: Landscaping Plan (Part Plan B)

Drawing #6: Lighting Plan

Drawing #6A: Lighting Plan (Part Plan A)

Drawing #6B: Lighting Plan (Part Plan B)

Drawing #7: Construction Details (1 of 4)

Drawing #8: Construction Details (2 of 4)

Drawing #9: Construction Details (3 of 4)

Drawing #10: Construction Details (4 of 4)

Drawing #11: Stormwater Pollution/Construction Phasing

Drawing #11A: Stormwater Pollution Prevention Details

Drawing #12A: Storm Profiles (1 of 3)

Drawing #12B: Storm Profiles (2 of 3)

Drawing #12C: Storm Profiles (3 of 3)

Drawing #14: Sanitary Profiles

Drawing #15: Wall Profiles

Drawing #16: Snow Management Plan

Drawing #17: Typical Site Cap Sections

Drawing #18: Site Cross Section Location Plan

Drawing #18A: Site/Building Cross Sections

Drawing #19: Site Cap Plan

Topographic Survey, January 27, 2012

05L343-19: Subsoil Investigation, June 30, 2005

**ACABOR #12-20: Orangeburg Commons Mixed Use with Food Market Site
Plan Structure and Landscaping Plans**

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2. CLIPPED SET, prepared by various professionals, not noted on plans

Proposed Pylon Sign

Stop & Shop signage Details and Front Elevation

Stop & Shop Exterior Finishes

Stop & Shop Elevations

Residence Inn by Marriott Rendering

Residence Inn by Marriott Signage

Residence Inn by Marriott Exterior Finishes

Examples Photographs of Previous Residence Inn Projects

Existing Site Photos

3. LANDSCAPE/LIGHTING PLANS, prepared by Langan, engineering & environmental services, dated February 2, 2012;

5. Overall Landscape Plan

5A. Landscape Plan Enlargement

5B. Landscape Plan Enlargement

5C. Landscaped Section (Route 303)

5D. Landscaped Sections (Palisades Interstate Parkway)

6. Overall Lighting Plan

6A. Lighting Plan Enlargement

6B. Lighting Plan Enlargement

4. RESIDENCE INN BY MARRIOTT, prepared by James Loft, Architect, dated January 19, 2012:

A1.1. First floor plan

A1.2. Second Floor Plan

A1.3. Second Floor Plan

A1.3. Third Floor Plan

A1.4. Fourth Floor Plan

A1.5. Roof Plan

A3.1. Exterior Elevations

A3.2. Exterior Elevations

ACABOR #12-20: Orangeburg Commons Mixed Use with Food Market Site Plan Structure and Landscaping Plans

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5. STOP & SHOP Plans, prepared by WD Partners, dated March 7, 2012:

- A101. Sales Floor Plan
- A102. Mezzanine Floor Plans
- A105. Roof Plan
- A201. Exterior Elevations
- F-1. Proposed Fixture Plan

6. Submitted at the meeting, Lighting Specifications for the outdoor lighting.

7. ACABOR #06-70, Approved Subject to Conditions, dated December 5, 2006 and PB #12-07, Preliminary Site Plan Approval to the Amendment to the Approved Site Plan Subject to Conditions, dated March 13, 2012 and a copy of the Town Board Resolution #92, dated March 7, 2012, Amending the Special Permit.

FINDINGS OF FACT:

1. The Board found the landscaping plan needed to be revised to include additional evergreen plantings to the western boundary of the site, between the bank, food market and existing building.
2. The Board found that additional landscaping should be added to buffer the food market from Greenbush Road and Stevens Way.
3. The Board found that 32 lighting poles at a height of 30 feet above grade was proposed. The Board held that the height of the light poles was unacceptable and needed to be reduced in height. All lighting on the site would be down lighting.
4. The Board found that right and left elevations of the food market needed to be revised to include a design element. The proposed colors and materials to be used are as follows:
 - Front Façade: Face Brick – Glen Gery (Standard Jumbo Size), second level in Dryvit in Pearl or Sto in Coastal Mirage and trim in Dryvit in Power Tan or Sto in Plateau.
 - Rear and left elevations – Stamped Precast panels in Aggregate, in Buff (tan).
5. The Board found that the grade elevation of the site would be higher than Route 303. The Board requested the applicant to submit a description of the site elevations.

**ACABOR #12-20: Orangeburg Commons Mixed Use with Food Market Site
Plan Structure and Landscaping Plans**

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6. The Board found that the applicant provided architectural elevations of with the proposed signage on the structure facades. The Board questioned if the proposed signage was reviewed for Town of Orangetown Zoning requirements by the Buildings Department.
7. The Board found that the proposed sign on the food market building would read “Stop & Shop”. The sign would be internally illuminated and would glow red during the day and white at nighttime. The Board also reviewed smaller informational signage on the structure as well as directional signage on the site.

Public Comment: Larry Vail, 389 Kings Highway, Tappan: raised concerns regarding the lighting on site, noting that the poles were excessive in height. He discussed the detention basin and water circulation required for plantings in the basin.

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

May 3, 2012

Geraldine Tortorella, Nathaniel Burns, Chuck Busch, Justin Lim and Fred Doneit appeared and testified. The Board received the following items:

1. LANDSCAPE/LIGHTING PLANS, prepared by Langan, engineering & environmental services, dated February 2, 2012, revised April 5, 2012;
 5. Overall Landscape Plan
 - 5A. Landscape Plan Enlargement
 - 5B. Landscape Plan Enlargement
 - 5D. Landscaped Sections (Palisades Interstate Parkway)
 6. Overall Lighting Plan
 - 6A. Lighting Plan Enlargement
 - 6B. Lighting Plan Enlargement
2. A letter from Langan engineering & environmental services, signed by Nate Burns, RLA, LEED-AP, Project Landscape Architect, dated April 16, 2012.
3. A letter from WDPartners, signed by Chuck Busch, RA, AIA, Lead Project Architect, dated April 17, 2012.
4. A Site Grading Narrative, prepared by Leonard Jackson Associates, dated April 17, 2012.
5. Submitted at the meeting by the applicant, a photograph of similar façade material proposed for the food market structure.

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FINDINGS OF FACT:

1. The Board found the applicant complied with the requests of the Board and provided the following plan revisions:
 - a) The landscaping plan was revised to include 20 additional evergreen plantings to the western boundary of the site, between the bank, food market and existing building. In order to buffer the residents in the area, the Board requested that the trees be reallocated along the boundary line in a southerly direction, where the property meets Western Highway.
 - b) Twenty additional evergreen trees were also proposed along Stevens Way to buffer the food market from Greenbush Road and Stevens Way. The applicant also planted 4 additional flowering trees in the front yard parking islands.
 - c) The height of the lighting poles were lowered from 30 feet to 18 and 23 feet as noted on the revised plans and as follows. The number of lighting poles on the site increased from 32 poles to a total of 48 poles.
 - In sensitive areas on the perimeter of the site, adjacent to the Palisades Interstate Parkway and Route 303, the height of the parking facility light poles was reduced to 18 feet above grade.
 - In the main parking field and adjacent to the Residence Inn Hotel, lighting poles were reduced to 23 feet above grade. All lighting on the site would be down lighting.
 - d) The front and rear elevations of the food market building remain, without modifications. The right and left elevations have been modified to break up the long side elevations of all precast, but not draw attention to them. Six panels, 3 on each side were added to the façade to break up the mass of the sides. The colors of the panels were revised to a crimson color to compliment the brick and other earth tone colors throughout the building and site. The field panels of exposed aggregate and stamping were modified to include two bands. The bands will have a broom like finish and the color is slightly brighter.

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2. The Board found the applicant proposed to construct two retaining walls; the first would be along the Palisades Interstate Parkway property. This wall is located in a wooded area and would not be visible. The second wall would be located at the Stevens Way entry way to the site on the left side. The height of the second retaining wall would be 4½ feet and construction materials consist of Keystone type block in an earth tone color to match the buildings.
3. The Board found that a 20 foot change in grade existed from Greenbush Road to Route 303. The grade change results from a site design which provides for the building loading docks, grades that slope to accommodate American with Disability Act accessibility and grades that slope to meet Route 303.
4. The Board found that the food market refrigerator equipment would be located on the roof of the structure, however would not be visible to the public.

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:

1. The landscaping plan shall be revised to reallocate the 20 additional evergreen plantings proposed for the western boundary of the site, in a southerly direction, where the property meets Western Highway.
2. The Town of Orangetown Buildings Department shall review the proposed signage regarding Zoning Code requirements. ACABOR reviewed the signage for aesthetics only.
3. The proposed colors and materials to be used are as follows:
 - a. Front Façade: Face Brick – Glen Gery (Standard Jumbo Size), second level in Dryvit in Pearl or Sto in Coastal Mirage and trim in Dryvit in Power Tan or Sto in Plateau.
 - b. Rear elevations – Stamped Precast panels in Aggregate, in Buff (tan).
 - c. The right and left elevations - Six panels, 3 on each side; the colors of the panels are crimson color to compliment the brick and other earth tone colors throughout the building and site. The field panels of exposed aggregate and stamping were modified to include two bands. The bands will have a broom like finish and the color is slightly brighter.

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4. The number of lighting poles on the site increased from 32 poles to a total of 48 poles.
 - a. In sensitive areas on the on the perimeter of the site, adjacent to the Palisades Interstate Parkway and Route 303, the height of the parking facility light poles shall be reduced to 18 feet above grade.
 - b. In the main parking field and adjacent to the Residence Inn Hotel, lighting poles shall be reduced to 23 feet above grade. All lighting on the site shall be down lighting.
5. The food market refrigeration equipment shall be located on the roof of the structure, and shall not be visible to the public.
6. Two retaining walls shall be constructed on site; the first shall be along the Palisades Interstate Parkway property. This wall is located in a wooded area and shall not be visible. The second wall shall be located at the Stevens Way entry way to the site on the left side. The height of the second retaining wall will be 4½ feet and construction materials consist of Keystone type block in an earth tone color to match the buildings.

The foregoing resolution was presented and moved by Thomas Warren and seconded by Blythe Yost and carried as follows; Paul Papay, Chairman, aye; Jack Messina, Vice Chairman, absent; Jill Fieldstein, aye; James Dodge, absent; Thomas Warren, aye; Blythe Yost, aye; and Alex DiMenna, Recused.

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: May 3, 2012

Town of Orangetown

Architecture and Community Appearance Board of Review