

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE  
BOARD OF REVIEW - MEETING OF NOVEMBER 4, 2010**

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

**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.

**New Item:**

US Information Systems Sign Plan Review of Sign Plan 68.20/1/1./10; LI zoning district	<b>Approved with Conditions</b>	ACABOR #10-40
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**Continued Item:**

Hillside Commercial Park Plans Review of Site/Structure Plans 68.16/1/1 and 68.11/3/39 & 40; LI zoning district	<b>Approved with Conditions</b>	ACABOR #10-39
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**New Item:**

Alatas Plans Review of Site/Structure Plans 69.09/5/21; R-15 zoning district	<b>Approved with Conditions</b>	ACABOR #10-43
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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 11:15 p.m. The next ACABOR Meeting is scheduled for November 18, 2010.

**Dated: November 4, 2010**

**Architecture and Community Appearance Board of Review**

**ACABOR #10-40**

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

**US Information Systems Sign Plan - Approved Subject to Conditions**

**November 4, 2010**

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TO: Brian Levine, Jefferson Group, 35 West Jefferson Avenue,  
Pearl River, New York 10965  
FROM: Architecture and Community Appearance Board of Review

RE: US Information Systems Sign Plan: The application of Brian Levine, applicant, for Jefferson Group, owner, for review of Sign plans at a site known as “US Information Systems 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 35 West Jefferson Avenue, 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./10 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, November 4, 2010**, at which time the Board made the following determinations:

Brian Levine appeared and testified.

The Board received the following items:

1. Sign Plan prepared by Sign –A- Rama, noting design, dimensions and colors of proposed sign.
2. Sign Plan superimposed on Building Façade.
3. Elevation of Building, noting location of Sign.
4. Copy of Survey for Jefferson Group, LLC., dated September 12, 2008, prepared by Anthony Celentano, PLS.
5. Copy of ZBA #10-76, dated November 3, 2010.

**FINDINGS OF FACT:**

1. The Board found that the applicant appeared at the Town of Orangetown Zoning Board of Appeals and was granted variances for the proposed signage.
2. The Board found that the signs would have soft lighting “candle power” not neon lighting. The lettering would be in Helvetica Italic font. The background would be white. Lettering would be in the company logo colors of bronze, red and grey.

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**US Information Systems Sign Plan - 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.

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

1. The proposed signage is acceptable.
2. The signs will have soft lighting “candle power” not neon lighting. The lettering will be in Helvetica Italic font. The background will be white and lettering will be in the company logo colors of bronze, red and grey.

The foregoing resolution was presented and moved by Larry Vail and seconded by Dan Sherman and carried as follows; James Dodge, aye; Dan Sherman, aye; Michael Bosco, aye, Jack Messina, aye; Paul Papay, aye; 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: November 4, 2010**

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

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**Town of Orangetown – Architecture and Community Appearance  
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**Hillside Commercial Park Plans –**

**Site/Structure Plans**

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TO: Donald Brenner, P.E., LL.B., 4 Independence Avenue,  
Tappan, New York 10983  
FROM: Architecture and Community Appearance Board of Review

RE: Hillside Commercial Park Plans: The application of Route 304, LLC, owner, (Donald Brenner, Attorney for the applicant) for review of Site/Structure plans at a site known as “**Hillside Commercial Park 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 bound on the west by the Route 304 right of way, on the south by Hillside Avenue and on the east side by CSX railroad right of way, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 1 and Section 68.11, Block 3, Lots 39 & 40 in the LI zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Thursday, October 7 and November 4, 2010**, at which time the Board made the following determinations:

**October 7, 2010**

Donald Brenner, Stu Strow, Robert Bernstein and Edmund Lane appeared and testified for the applicant.

The Board received the following items:

1. Site Plans prepared by Brooker Engineering, dated August 28, 2007, last revision date of August 10, 2010:

Drawing T: Title Sheet

Drawing 1: Layout Plan

Drawing 2: Grading and Utility Plan (1 of 2)

Drawing 3: Grading and Utility Plan (2 of 2)

Drawing 4: Soil Erosion & Sediment Control Plan

Drawing 5: Landscaping & Lighting Plan

Drawing 6: Existing Condition

Drawing 7: Road ‘B’ Profiles

Drawing 8: Road ‘A’ Profiles

Drawing 9: Storm Drainage Profiles (1 of 2)

Drawing 10: Storm Drainage Profiles (2 of 2)

Drawing 11: Force Main Profiles

Drawing 12: Construction Details (1 of 2)

Drawing 13: Construction Details (2 of 2)

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2. Architectural Drawings prepared by Artistic Building Design Studio, signed and sealed by Robert Bernstein, R.A., dated June 11, 2010:

A-1 of 7: Building #1 - Elevations

A-2 of 7: Building #2 - Elevations

A-3 of 7: Building #2 - Floor Plans

A-4 of 7: Building #3

A-5 of 7: Building #3 - Elevation Details

A-6 of 7: Building #4 - Elevations

A-7 of 7: Building #4 – Floor Plans

3. Color Schematic Design of Proposed Building prepared by Artistic Building Design Studio.

4. Copy of PB #07-45, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated February 13, 2008.

**FINDINGS OF FACT:**

1. The Board found that the property has been zoned LI for 50 years.
2. The Board found that the site has received drainage approval with conditions from the Planning Board's Drainage Consultant, Greater Hudson Engineering. The applicant appeared at the Planning Board for four meetings, received Preliminary Approval with Conditions and has obtained the needed Zoning Variances from the Zoning Board of Appeals.
3. The Board found that the proposed architectural plans include a south building of storage units to be rented out as modular.
4. The Board discussed Condition #41 of the Preliminary Planning Board Approval, regarding two roadways needed for security of the site and the removal of trees for construction of the roadways.
5. The Board discussed construction of a wall near the roadway, along the entire perimeter of the wetlands, 5 to 10 feet in height. There was also a discussion regarding the construction of a bridge over the wetlands leading to Route 304 as an alternate to the two roadways needed for security of the site.
6. The Board found that the applicant needed to revise the plans to comply with Condition #5 of the Preliminary Planning Board regarding the need for a 10 foot clearing line from the east side of the property line.

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7. The Board found that Condition #53 of the Preliminary Planning Board decision, regarding issues required by the Bureau of Fire Prevention, should be reviewed by the applicant in their design of the roadway and landscaping of the site.

8. The Board found that the lighting on the site should not shine onto the area properties. The lights should be down lighting.

9. The Board found that the applicant should review the relationship between the height of the structure, the height of the railroad tracks and the height of the proposed trees. The trees should be sufficient to screen the building.

The applicant requested a **CONTINUATION**.

**November 4, 2010**

Donald Brenner, Stu Strow, Robert Bernstein and Edmund Lane appeared and testified for the applicant.

The Board received the following items:

1. Site Plans prepared by Brooker Engineering, dated August 28, 2007, last revision date of October 19, 2010:

Drawing T: Title Sheet

Drawing 1: Layout Plan

Drawing 2: Grading and Utility Plan (1 of 2)

Drawing 3: Grading and Utility Plan (2 of 2)

Drawing 4: Soil Erosion & Sediment Control Plan

Drawing 5: Landscaping & Lighting Plan

Drawing 6: Existing Condition

Drawing 7: Road Profiles (1 of 2)

Drawing 8: Road Profiles (2 of 2)

Drawing 9: Drainage Profiles

Drawing 10: Drainage and Sanitary Sewer Profiles

Drawing 11: Construction Details (1 of 2), revision date of August 10, 2010:

Drawing 12: Construction Details (2 of 2), revision date of August 10, 2010:

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2. Architectural Drawings prepared by Artistic Building Design Studio, signed and sealed by Robert Bernstein, R.A., dated June 11, 2010:

A-1 of 7: Building #1 - Elevations

A-2 of 7: Building #2 - Elevations

A-3 of 7: Building #2 - Floor Plans

A-4 of 7: Building #3

A-5 of 7: Building #3 - Elevation Details

A-6 of 7: Building #4 - Elevations

A-7 of 7: Building #4 – Floor Plans

**FINDINGS OF FACT:**

1. The Board found that the applicant redesigned the roadway system, and the building design and parking needed to be slightly redesigned. The materials remained the same as presented at the October 7<sup>th</sup> meeting. All four structures have exterior siding of brick and stone panels, manufactured by Nichiha. The base color will be in Canon Brown and the top color will be in Shell Brown. All buildings will have a stucco veneer for the details with accents of light beige on the fascia and dark color stucco bands with beige brown mixed in. The roofs will be EDPM rubber roofs in a black color. The only exceptions to the exterior finishes will be Building #2, the mini storage building which will have an overhang of a standing seam roof. Building #3 will have bronze finished glass doors.
2. The Board requested of the applicant that all the mechanical units spread out on the structures be placed behind the parapet or possibly placed in decorative towers in order to be sound proofed. The applicant shall return to the Board at a later date to present the mechanical equipment as a separate issue for review and approval.
3. The Board found that the retaining walls shall be placed along the eastern boundary line and also on the north side of the site. The manufacturer of the wall block will be Teno Block and the color will be brown.
4. The Board found that in redesigning the roadway, safety issues were of great concern to the developer. Parking spaces were added for users to be closer to the entrance of the building in order to avoid the traffic from the two lanes leading to Building #3.

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**5.** The Board found that the applicant agreed to remove all light fixtures on the east facing side of Buildings #2 and #3. In addition, the applicant agreed to reduce lighting after 10 p.m. The reduction in lighting would be in one of two methods, the one to be used is the one that would reduce ambient light the most in order to protect the surrounding community.

**Method #1:** That the light poles would contain two light fixtures, one that would be brighter to be used up to 10 p.m., the other that would be diminished lighting after 10 p.m.

**Method #2:** The light poles would be on until 10 p.m., after that hour every fourth light pole would be lit, this being done to diminish ambient light in the surrounding community.

**6.** The Board found that additional trees would be placed in front of the proposed buildings. Specifically, Building #3 would have a curbed island in front of each set of paired entrance doors that will contain a tree, for this purpose a decorative, flowering tree could be used or a maple or oak. Additionally, in front of Building #2, a minimum of six tree wells would be placed in front of entrance doors and the purpose of these wells is to plant trees, for this purpose a decorative, flowering tree could be used or a maple or oak tree. Trees would to be a minimum of 12' in height.

**7.** The Board found that the applicant agreed to extending the untouched tree buffer to ten feet from the property line on the East side of the property line starting with building #2. The applicant was reminded several times by the Board that this also required that the root systems of the trees within the 10 foot buffer cannot be disturbed, and was additionally reminded to adhere to the dripline rule for undisturbed trees, which in effect means that the ground cannot have any major construction work, earth removal, etc, to the outside length of the dripline of the trees that are in the ten foot buffer.

The trees to be saved are to be protected with snow fencing to the drip line during tree removal and construction. Additionally, the applicant agreed to plant evergreen trees in all areas that space allowed within the protected tree buffer and the dripline designated area. The purpose of these trees is to add as much screening to the site as possible. The trees are to be a minimum of 8' in height from the ground and as many trees as can be planted. The evergreen trees are to be planted staggered as to replicate natural setting as opposed to a straight line.



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8. The Board found that the applicant agreed to extending the untouched tree buffer to ten feet from the property line on the East side of the property from building #2 to the extreme North end of building #3. The applicant was reminded several times that this also required that the root systems of the trees within the 10 foot buffer cannot be disturbed, and was additionally reminded to adhere to the dripline rule for undisturbed trees. The trees to be saved are to be protected with snow fencing to the dripline during tree removal and construction. The applicant also agreed to replace the small junipers and small plants with a line of evergreen trees which are to be a minimum of 8' in height and planted 8 foot on center.

9. The Board found that the detail of the retaining wall on Sheet 12 needed to be corrected. The detail states "16 foot max", and needs to be changed to 10 foot maximum, or whatever the maximum number is.

10. The Board found that the Architectural Plans need to number and label the buildings, as referred to: The storage building just South of the detention basin is Building #1; The storage building just East of this is Building #2; the light industry building furthest North is Building #3 and the Security Residence building to the South is Building #4.

The hearing was then opened to the Public.

**Public Comments:**

Joann Dilozenso, 12 Moore Avenue, a registered Landscape Architect, submitted a letter to the Board and discussed the need for additional screening for the site.

Kevin Cristie, area resident, opposed the proposed development of the site.

Tracy Hancock, 48 West George Street, raised zoning concerns and requested that the Board not approve the project. She discussed lighting and noise issues.

Bill Clark 73 Hillside Avenue, raised concerns regarding flooding in the area of the development and held that the site was not buildable in 1985 and wanted to know what has changed since that time.

Lisa Sheridan, 48 West Railroad Avenue, expressed concerns regarding lights on the site and applicable Town Codes. She requested information regarding security of the site.

Debra Kurizhal, 15 Moore Avenue, discussed the norway spruce trees that are no longer on the site and the topography of the site. She discussed the dangerous turning radius of the roadways in the area of the project.

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Richard Freu, Magnolia Street, opposed the project and requested the Board to disapprove the project.

Ms Casteleiro, representing Ellen Jaffee, noted that a storage facility project was not an appropriate use for a residential neighborhood.

Joe Gallagher, 51 Buchannan Street, opposed the project and stated that the development was not suitable for Pearl River.

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. All four structures have exterior siding of brick and stone panels, manufactured by Nichiha. The base color will be in Canon Brown and the top color will be in Shell Brown. All buildings will have a stucco veneer for the details with accents of light beige on the fascia and dark color stucco bands with beige brown mixed in. The roofs will be EDPM rubber roofs in a black color. The only exceptions to the exterior finishes will be Building #2, the mini storage building which will have an overhang of a standing seam roof. Building #3 will have bronze finished glass doors.
2. The applicant shall return to the Board at a later date to present the roof mechanical equipment as a separate issue for review and approval.
3. Retaining walls shall be placed along the eastern boundary line and also on the north side of the site. The manufacturer of the wall block will be Teno Block and the color will be brown.
4. The applicant agreed to remove all light fixtures on the east facing side of Buildings #2 and #3. In addition, the applicant agreed to reduce lighting after 10 p.m. The reduction in lighting would be in one of two methods, the one to be used is the one that would reduce ambient light the most in order to protect the surrounding community.

**Method #1: That the light poles would contain two light fixtures, one that would be brighter to be used up to 10 p.m., the other that would be diminished lighting after 10 p.m.**

**Method #2: The light poles would be on until 10 p.m., after that hour every fourth light pole would be lit, this being done to diminish ambient light in the surrounding community.**

**ACABOR #10-39**

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5. Additional trees shall be planted in front of the proposed buildings. Specifically, building #3 will have a curbed island in front of each set of paired entrance doors that will contain a tree, for this purpose a decorative, flowering tree could be used or a maple or oak. Additionally, in front of building #2, a minimum of six tree wells will be placed in front of entrance doors and the purpose of these wells is to plant trees, for this purpose a decorative, flowering tree could be used or a maple or oak tree. Trees are to be a minimum of 12' in height.
6. The applicant agreed to extending the untouched tree buffer to ten feet from the property line on the East side of the property line starting with Building #2. The applicant was reminded by the Board several times that this also required that the root systems of the trees within the 10 foot buffer cannot be disturbed, and was additionally reminded to adhere to the dripline rule for undisturbed trees, which in effect means that the ground cannot have any major construction work, earth removal, etc, to the outside length of the dripline of the trees. The trees to be saved are to be protected with snow fencing to the drip line during tree removal and construction. Additionally, the applicant agreed to plant evergreen trees in all areas that space allowed within the protected tree buffer and the dripline designated area. The purpose of these trees are to add as much screening to the site as possible. The trees are to be a minimum of 8' in height from the ground and as many trees as can be planted. The evergreen trees are to be planted staggered as to replicate natural setting as opposed to a straight line.
7. The applicant agreed to extending the untouched tree buffer to ten feet from the property line on the East side of the property from Building #2 to the extreme North end of Building #3. The applicant was reminded several times that this also required that the root systems of the tree within the 10 foot buffer cannot be disturbed, and was additionally reminded to adhere to the dripline rule for undisturbed trees. The trees to be saved are to be protected with snow fencing to the dripline during tree removal and construction. The applicant also agreed to replace the small junipers and small plants with a line of evergreen trees which are to be a minimum of 8' in height and planted 8 foot on center.

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8. The detail of the retaining wall on Sheet 12 shall be corrected. The detail states “16 foot max”, and shall be changed to 10 foot maximum, or whatever the maximum number is.
9. The Architectural Plans shall be numbered and the buildings shall be labeled, as referred to: The storage building just South of the detention basin is Building #1; The storage building just East of this is Building #2; the light industry building furthest North is Building #3 and the Security Residence building to the South is Building #4.
10. Trees to be saved shall be protected with snow fencing to the drip line during construction.
11. 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 James Dodge and carried as follows; James Dodge, aye; Dan Sherman, nay; Michael Bosco, nay, Jack Messina, aye; Paul Papay, aye; Jill Fieldstein, aye and Larry Vail, nay.

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: November 4, 2010  
Town of Orangetown  
Architecture and Community Appearance Board of Review**

**ACABOR #10-43**

**Town of Orangetown Architecture and Community Appearance Board of  
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**Alatsas Plans, Approved subject to Conditions**

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TO: George Alatsas, 17 Bluefields Lane, Blauvelt, New York 10913

FROM: Architecture and Community Appearance Board of Review

RE: The application of George Alatsas, owner, for the review of Site and House Plans for a site to be known as "Alatsas 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 144 Pearce Parkway, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.09, Block 5, Lot 21 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, November 4, 2010**, at which time the Board made the following determinations:

George Alatsas and Donald Brenner appeared and testified.

The Board received the following items:

1. Architectural Plans prepared by Eric Osborne, RA, dated October 18, 2010:
2. Site Plan prepared by Robert Sorace, PLS, dated October 13, 2010.

**FINDINGS OF FACT:**

1. The Board found that the existing structure would be demolished and a new house would be constructed.
2. The Board found that the proposed house would have four sides of vinyl siding in Savannah Wicker color, manufactured by Certainteed, with white trim and two columns on the front elevation, also in white. The roof would be Mission Brown, manufactured by Timberline. The garage doors would be white with decorative trim around the doorways.
3. The Board found that the applicant requested options regarding the selection of colors for the shutters and the front entry door: wine berry or musket brown color for the shutters, and a selection of a natural wood color for the front entry door.
4. The Board found that stucco would be placed on the front stoop rather than concrete as originally proposed by the applicant. Wrought black iron would be used as the stairway railing.

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**Alatsas Plans, Approved subject to Conditions  
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5. The Board found that no new plantings were proposed for the site. However, the applicant agreed to planting two new fruit trees to replace three trees to be removed along the roadway.
6. The Board found that the applicant shall try to save a tree by the Turn-around.
7. The Board found that there will be safety lighting placed around the house by the front gable, garage, rear doors and deck. Spot lights will not be used.
8. The Board found that paver blocks will be used in the retaining wall to be constructed in the front yard.

**Public Comment:**

Janic Cashin, an abutting property owner, requested information regarding the construction schedule of the project and if trees would be removed.

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

1. The proposed house shall have four sides of vinyl siding in Savannah Wicker color, manufactured by Certainteed, with white trim and two columns on the front elevation, also in white. The roof will be Mission Brown, manufactured by Timberline. The garage doors will be white with decorative trim around the doorways.
2. The Board granted the applicant options regarding the selection of colors for the shutters and the front entry door: wine berry or musket brown color for the shutters, and a selection of a natural wood color for the front entry door.
3. Stucco shall be placed on the front stoop rather than concrete as originally proposed by the applicant. Wrought black iron will be used as the stairway railing.
4. Two new fruit trees shall be planted to replace three trees to be removed along the roadway.
5. The applicant shall try to save a tree by the Turn-around.
6. Safety lighting shall be placed around the house by the front gable, garage, rear doors and deck. Spot lights will not be used.

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**Alatsas Plans, Approved subject to Conditions  
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7. Paver blocks will be used in the retaining wall to be constructed in the front yard.
8. Trees to be saved shall be protected with snow fencing to the drip line during construction.
9. No grading is to take place within five feet of any property line, except as specified on the approved site plan.
10. 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 Jack Messina and seconded by Jill Fieldstein and carried as follows: James Dodge, aye, Dan Sherman, aye; Jack Messina, aye; Michael Bosco, 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: November 4, 2010**

**Town of Orangetown**

**Architecture and Community Appearance Board of Review**

**Town of Orangetown Amendment to ACABOR #10-39 - January 13, 2011  
Architecture and Community Appearance Board of Review  
Hillside Commercial Park Plans – Site/Structure Plans**

TO: Donald Brenner, P.E., LL.B., 4 Independence Avenue,  
Tappan, New York 10983  
FROM: Architecture and Community Appearance Board of Review

RE: An Amendment to ACABOR #10-39 Hillside Commercial Park Plans, the application of Route 304, LLC, owner, (Donald Brenner, Attorney for the applicant) for review of Site/Structure plans at a site known as “**Hillside Commercial Park Plans**” as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 1 and Section 68.11, Block 3, Lots 39 & 40 in the LI zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held Thursday, October 7 and November 4, 2010. This document further clarifies those proceedings.

**FINDINGS OF FACT:**

**Revised #5.** The Board discussed the construction of a 5 to 10 foot retaining wall to be placed approximately 12' to 13' from the eastern boundary line, to conform to the location shown on the approved drawing. The Board discussed that the root system of the trees in this 12' to 13'; are not to be disturbed and that the construction of the wall is to take into account the dripline of the trees. If the dripline is within the 12' to 13', then the wall will have to be further from the eastern boundary line, in accordance with Town of Orangetown Town Law. A retaining wall shall also be constructed on the north side of the site, as shown on the approved drawing. The manufacturer of the wall block will be Teno Block and the color will be brown.

**New #10 (Rearranged information).** The Board found that there was also a discussion regarding the construction of a bridge over the wetlands leading to Route 304 as an alternate to the two roadways needed for security of the site.

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

**Revised #3.** The applicant shall construct a 5 to 10 foot retaining wall to be placed approximately 12' to 13' from the eastern boundary line, to conform to the location shown on the approved drawing. The root system of the trees in this 12' to 13'; are not to be disturbed and that the construction of the wall is to take into account the dripline of the trees. If the dripline is within the 12' to 13', then the wall will have to be further from the eastern boundary line, in accordance with Town of Orangetown Town Law. A retaining wall shall also be constructed on the north side of the site, as shown on the approved drawing. The manufacturer of the wall block will be Teno Block and the color will be brown.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **Amendment** and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

**Amendment Dated: January 13, 2011  
Town of Orangetown  
Architecture and Community Appearance Board of Review**



