

TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW - MEETING OF NOVEMBER 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.

Buonadonna Subdivision Plan Review of Site /Structure 68.12/3/24; RG zoning district	Approved with Conditions	ACABOR #09- 35
Royal Caribbean Food Delights, Inc. Plan Review of Driveway Pier Sign Plans 74.19/1/2; LI zoning district	Approved with Conditions	ACABOR #09- 36
Dolce Hotels & Resorts Sign Plan IBM Corporation Lawn Sign 78.13/1/1; LO zoning district	Approved with Conditions	ACABOR #09- 37

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 8:00 p.m. The next ACABOR Meeting is scheduled for December 1, 2009.

Dated: November 17, 2009
Town of Orangetown
Architecture and Community Appearance Board of Review

#09-35 – Town of Orangetown – Architecture and Community Appearance Board of Review Decision – Approved with Conditions

November 17, 2009

Buonadonna Subdivision –Approved Subject to Conditions

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

FROM: Architecture and Community Appearance Board of Review

RE: Buonadonna Subdivision Plan: Application of John Buonadonna, owner, for Review of Site/Structure for a site known as “Buonadonna 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. The site is located at 283 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York; and as shown on the Orangetown Tax Map as Section 68.12, Block 3, Lot 24; in the RG zoning district.

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

Donald Brenner appeared and testified.

The Board received the following items:

1. A Subdivision Plan prepared by Robert Rahnefeld, dated August 9, 2009 revised June 9, 2009.
2. PB #09-27, Preliminary Approval Subject to Conditions, dated April 29, 2009, Neg. Dec.

FINDINGS OF FACT:

1. The Board found the applicant is scheduled to appear in front of the Town of Orangetown Zoning Board of Appeals for reconfirmation of a preexisting single family residence and business use on Lot #2, since the property lies within the MFR zone district.
2. The Board found that this application is reviewing only the subdivision of property and not reviewing or approving site or architectural plans.
3. The Board found that the individual site and house plan for the proposed additional lot would be reviewed at the time the new lot would be developed.

Public Comment:

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 WITH THE FOLLOWING CONDITIONS:**

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Board of Review Decision – Approved with Conditions**

November 17, 2009

Buonadonna Subdivision –Approved Subject to Conditions

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1. This application is reviewing only the subdivision of property and not reviewing or approving site or architectural plans.
2. 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.
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 and carried as follows; James Dodge, aye; Dan Sherman, aye; Thomas Miggie, 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 17, 2009

Architecture and Community Appearance Board of Review

**#09-36 - Royal Caribbean Food Delights, Inc. Plan
Town of Orangetown – Architecture and Community Appearance Board of
Review Decision – Approved with Conditions**

**November 17, 2009
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TO: Donald Brenner, 4 Independence Avenue, Tappan, New York 10983
FROM: Architecture and Community Appearance Board of Review

RE: Royal Caribbean Food Delights, Inc. Driveway Pier Sign Plans: Application of Vincent Hosang, owner, for Review of Plans for a site known as “Royal Caribbean Food Delights, Inc. 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 117 Route 303, Tappan, Town of Orangetown, Rockland County, New York; and as shown on the Orangetown Tax Map as Section 74.19, Block 1, Lot 2; 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, November 17, 2009**, at which time the Board made the following determinations:

Donald Brenner and Vincent Hosang appeared and testified.

The Board received the following items:

1. Plans prepared by Cybul & Cybul Architects dated October 27, 2009.
2. Submitted at the meeting Architectural Drawings prepared by Cybul & Cybul, dated November 17, 2009
 - a. A1: Proposed Sign Elevation
 - b. A2: Elevation

FINDINGS OF FACT:

1. The Board found that the materials to be used included black granite, light tan granite and tan brick on the pier structure. The sign will be 6’ 0” diameter metal, painted to match the company logo. The new light fixtures on either side of the sign, located on the piers, will have a limited wattage of up to 100 watts per bulb. Spot lights located beneath the sign on the brick gate will shine onto the sign and will be shielded from shining onto Route 303.

Public Comment:

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.

**#09-36 - Royal Caribbean Food Delights, Inc. Plan
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Review Decision – Approved with Conditions**

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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 materials to be used include black granite, light tan granite and tan brick on the pier structure. The sign will be 6' 0" diameter metal, painted to match the company logo. The new light fixtures on either side of the sign, located on the piers, will have a limited wattage of up to 100 watts per bulb. Spot lights located beneath the sign on the brick gate will shine onto the sign and will be shielded from shining onto Route 303.

2. 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, nay; Thomas Miggie, 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 17, 2009
Architecture and Community Appearance Board of Review

**ACABOR #09-37: Dolce Hotels & Resorts Sign Plan- Town of Orangetown –
Architecture and Community Appearance Board of Review Decision –
Approved with Conditions**

November 17, 2009

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TO: Brian O'Conner, Frohling Sign Company, 419 East Route 59, Nanuet,
New York 10954

FROM: Architecture and Community Appearance Board of Review

RE: Dolce Hotels & Resorts Sign Plan: Application of Hudson Valley Permits,
for IBM Corporation, owner, for Review of a Lawn Sign Plan for a site known as
"Dolce Hotels & Resorts 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 334 Route 9W, Palisades, Town of
Orangetown, Rockland County, New York; and as shown on the Orangetown
Tax Map as Section 78.13, Block 1, Lot 1; in the LO zoning district.

Brian O'Conner appeared and testified. The Board received the following items:

1. Sign Plans prepared by Butler Sign Company, dated October 6, 2009
2. A Photograph of the type of proposed signage
3. Site Layout Plan, Customer Executive Education Center

FINDINGS OF FACT:

1. The Board found that the signage would have a black background with white lettering, sit 9 feet from grade, 30 foot setback from the main road curb, 18 foot setback from the side street curb.
2. The Board found that the existing signage for the IBM complex is similar to the proposed signage for this project
3. The Board found that the proposed lighting of the sign includes two ground spot lights, 60 watts each.

Public Comment:

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 WITH THE FOLLOWING CONDITIONS:**

**ACABOR #09-37: Dolce Hotels & Resorts Sign Plan- Town of Orangetown –
Architecture and Community Appearance Board of Review Decision –
Approved with Conditions**

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1. The signage will have a black background with white lettering, sit 9 feet from grade, 30 foot setback from the main road curb, 18 foot setback from the side street curb.
2. The proposed lighting of the sign includes two ground spot lights, 60 watts each.
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 Thomas Miggie, and seconded by Larry Vail 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: November 17, 2009

Architecture and Community Appearance Board of Review