

**ARCHITECTURE AND COMMUNITY APPEARANCE BOARD OF REVIEW
TOWN OF ORANGETOWN MEETING OF OCTOBER 2, 2007**

MEMBERS PRESENT:

Thomas Miggie, Vice Chairman
John Keahon
James Dodge
Larry Vail
Jack Messina

MEMBERS ABSENT: Daniel Hlavac, Chairman

ALSO PRESENT:

Barbara Gionta, Deputy Town Attorney Ann Marie Ambrose, Stenographer
Cheryl Coopersmith, Chief Clerk

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

38 North Middletown Road Plans ACABOR #07-57
Review of Canopy Plans
69.13/1/6; CC zone

Hyun Subdivision Plans ACABOR #07-59
Review of Subdivision Plans
Palisades Historic District
78.18/2/13; R-40/80 zones

KFC Plans ACABOR #07-60
Review of Facade Plans
68.20/1/1.1; CC zone

John M. Perry Post Sign Plans ACABOR #07-61
Review of Sign Plans
77.16/1/5; LO zone

Continued Item from the July 31, 2007 Meeting:

Tappan Golf Range Plans Postponed ACABOR #07-37
Review of Site/Structure Plans
74.19/1/1; LI zone

Other Business: The Board reviewed and approved revised plans for The Church of the Lord, ACABOR #06-72. The Board determined that the plans are in compliance with the decision and are in agreement with the applicant's Landscape Architect regarding the trees.

A motion was made to adjourn the meeting by Thomas Miggie and seconded by Larry Vail 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: 25 P.M. The next ACABOR Meeting is scheduled for October 16, 2007.

Dated: October 2, 2007.

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Applicant
Dep. Town Attorney
Shade Tree Comm

Town Board Members Town Clerk
DEME
Plg Bd

Supervisor
Rec and Parks
Rockland and Orange Reporting

**ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW DECISION**

**38 North Middletown Road Canopy Plans
Approved Subject to Conditions**

**ACABOR #07- 57
October 2, 2007
Page 1 of 2**

Joseph Viotto
702 Chestnut Ridge Road
Chestnut Ridge, New York 10977

FROM: Architecture and Community Appearance Board of Review

RE: The application of Joseph Viotte, applicant, for Gregg Slater, owner, for the review of store front canopies at a site to known as "**38 North Middletown Road Canopy 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 38 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 6, in the CC zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held Tuesday, October 2, 2007, at which time the Board made the following determinations:

Joe Viotto appeared and testified.

The Board received the following items:

1. Photo Simulation of Canopy on Storefront, prepared by Dean Awning's.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to construct a canopy across the entire front facade of the structure; each individual store would have its own sign.
2. The Board found that the material would be Sunbrella Fabric in Tan and Red; with the front tress to be in black. Materials were presented to the Board.
3. The Board found that the canopy was not retractable and would be rated for northeast snow load at 42 pounds per square foot.
4. The Board found that the structure would be all welded steel framing, mounted with two brackets to the wall.
5. The Board found the canopy to significantly enhance the appearance of the site.

**ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW DECISION**

**Hyun Subdivision Plan
Approved Subject to Conditions**

**ACABOR #07- 59
October 2, 2007**

TO: Jay Greenwell, PLS
85 Lafayette Avenue
Suffern, New York 10901

FROM: Architecture and Community Appearance Board of Review

RE: The application of the Jay Greenwell, applicant, Mikyon Hyun, owner, for the review of a Subdivision Plan for a site located in the Palisades Historic District, to be known as "**Hyun 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 139 Washington Spring Road, Palisades, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 78.18, Block 2, Lot 13, in the R40/80 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held Tuesday, October 2, 2007, at which time the Board made the following determinations:

Jay Greenwell and Miki Hyun appeared and testified.

The Board received the following items:

1. Subdivision Plan prepared by Jay Greenwell, PLS, dated June 30, 2006, last revised May 7, 2007.
2. Board Decisions: PB#07-03, Preliminary Approval Subject to Conditions, dated April 11, 2007 and ZBA #07-72, Granted Variances, dated July 18, 2007.
3. Submitted at the meeting by the applicant, a photo copy of the existing house.

FINDINGS OF FACT:

1. The Board found that the existing structure on the site will be rehabilitated. A portion of the structure would be removed, however, that section is not historic. The applicant presented a photo of the structure.
2. The Board found that the applicant proposed a two lot subdivision and found the shapes of the lots acceptable.

DECISION: In view of the foregoing and the testimony before the Board, the application was **APPROVED SUBJECT TO 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. Trees shall be protected during construction with snow fencing up to the dripline.
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 requirement of Section 21-25 of the Town of Orangetown Shade Tree Requirement.

The foregoing resolution was presented and moved by Thomas Miggie and seconded by John Keahon and carried as follows: Daniel Hlavac, absent; James Dodge, aye; John Keahon, aye; Thomas Miggie, aye, Jack Messina 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: October 2, 2007 Pg 4(Oct. 2)

**ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW DECISION**

KFC Facade Plan

ACABOR #07- 60

Approved Subject to Conditions

October 2, 2007

TO: Alex Cavern
14 John Street
Stony Point, New York 10980

FROM: Architecture and Community Appearance Board of Review

RE: The application of the C & B Restaurant Corporation, applicant for MC Corporation of Stony Point, owner, for the review of a Facade Improvement Plan for a site known as "**KFC Facade 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 130 South Pearl Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.20, Block 5, Lot 1.1, in the CC zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held Tuesday, October 2, 2007, at which time the Board made the following determinations:

Alex Cavern and Thomas Ashbahian appeared and testified.

The Board received the following items:

1. Plans prepared by Thomas Ashbahian, RA, dated September 19, 2007:

A1.1: Elevations Modifications

D1.0: Demolition Floor Plan & Elevations

FINDINGS OF FACT:

1. The Board found that the Facade Improvement Plan would update the look of the building with a more sophisticated and suburban appearance. The new facade was similar in height to the existing structure, with down lighting on the structure and canopies. The facade is similar in color and materials to the existing building; southwest colors of tan, desert tan and coco, all in a stucco material. The facade would have red accents strips. The coping would be white. The canopies would be a Sunbrella material in red and white. The applicant noted that the Pearl River structure would be similar in color and style to an existing KFC structure in Ramsay, New Jersey. Both buildings are built to the national architectural franchise standards.
2. The Board found that the lighting at the site would be down lighting at the same wattage as presently exists on the site. Black tone gooseneck type lighting fixtures would be used on site.

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

1. The Facade Improvement Plan would update the look of the building with a more sophisticated and suburban appearance. The new facade was similar in height to the existing structure, with down lighting on the structure and canopies. The facade is similar in color and materials to the existing building; southwest colors of tan, desert tan and coco, all in a stucco material. The facade will have red accents strips. The coping will be white. The canopies will be a Sunbrella material in red and white.
2. The lighting at the site will be down lighting at the same wattage as presently exists on the site. Black tone gooseneck type lighting fixtures will be used on site.

The foregoing resolution was presented and moved by Thomas Miggie and seconded by James Dodge and carried as follows: Daniel Hlavac, absent; James Dodge, aye; John Keahon, aye; Thomas Miggie, aye, Jack Messina 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: October 2, 2007

Architecture and Community Appearance Board of Review

**ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW DECISION**

**John M. Perry Post 1044 Sign Plan
Approved Subject to Conditions**

**ACABOR #07- 61
October 2, 2007**

TO: Murry Cohen
18-A Sheridan Avenue
Congers, New York 10920

FROM: Architecture and Community Appearance Board of Review

RE: The application of Commander Murry Cohen, applicant for American Legion, owner, for the review of a Sign Plan for a site known as "**John M. Perry Post 1044 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 691 Route 340, Sparkill, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 77.16, Block 1, Lot 5, in the LO zoning district. Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held Tuesday, October 2, 2007, at which time the Board made the following determinations:

Bob Kolb and Jim Fox appeared and testified.

The Board received the following items:

1. Plans prepared by Frohling Sign Company, dated July 9, 2007.

FINDINGS OF FACT:

1. The Board found that the proposed sign was double faced internally illuminated monument sign/letter board style sign. The base would be a red brick or similar masonry material. The sign would be on a timer to be turned off after functions at the site and at appropriate times of the evening hours, so not to create glare in the area and the neighborhood.
2. The Board found that the applicant would request the sign manufacturer to place low wattage lighting in the sign so not to create a glaring appearance.

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

1. The proposed sign shall be a double faced internally illuminated monument sign/letter board style sign. The base shall be either a red brick or similar masonry material. The sign shall be on a timer to be turned off after functions at the site and at appropriate times of the evening hours, so not to create glare in the area and the neighborhood.
2. The applicant shall request the sign manufacturer to place low wattage lighting in the sign so not to create a glaring appearance.

The foregoing resolution was presented and moved by John Keahon and seconded by Thomas Miggie and carried as follows: Daniel Hlavac, absent; James Dodge, aye; John Keahon, aye; Thomas Miggie, aye, Jack Messina 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: October 2, 2007

Architecture and Community Appearance Board of Review