

**Town of Orangetown Architecture and Community Appearance Board of Review
Meeting of November 3, 2022**

MEMBERS PRESENT: Christopher Dunnigan, Chairman
Shirley Goebel Christie Kenyatta Jones Arietta
Joseph Milillo Deborah Stuhlweissenburg
Sharon Burke

MEMBERS ABSENT: Brian Aitcheson

ALSO, PRESENT: Elizabeth Brancati, Deputy Town Attorney and
Katlyn Bettmann, Clerk Typist

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

Westshore Plaza Sign Plan **ACABOR #22-59**
Acupuncture & Herb Sign **Approved as**
Review of Sign Plan **Presented**
580 Route 303, Blauvelt
Section 70.14, Block 4, Lot 13; CC zoning

Hudson Valley iCampus Sign Plan **ACABOR #22-60**
Review of Sign Plan **Approved as**
401 N. Middletown Road, Pearl River **Presented**
Section 68.08, Block 1, Lot 1; LI and LO zoning

SMK Erie West Subdivision Lot #4 **ACABOR #22-61**
Review of Site/Structure/
Landscaping Plan **Approved as**
Private Del Regno, Blauvelt **Presented**
Section 70.13, Block 1, Lot 20.2; R-15 zoning

SMK Erie West Subdivision Lot #6 **ACABOR #22-62**
Review of Site/Structure/
Landscaping Plan **Approved as**
Private Del Regno, Blauvelt **Presented**
Section 70.13, Block 1, Lot 20.7; R-15 zoning

Continued item:
Databank Orangeburg Plans **ACABOR #22-56**
Review of Site/Structure Plans **Approved as**
2000 Corporate Drive, Orangeburg **Presented**
Section 73.15, Block 1, Lot 19; LIO zoning

A motion was made to adjourn the meeting by Christopher Dunnigan, Chairman
and seconded by Joseph Milillo 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, are mailed to the applicant. As there was no further
business before the Board, the meeting was adjourned at 8:55 p.m.

Dated: November 3, 2022
Cheryl Coopersmith

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TO: Louis Rakoszynski, 580 Route 303, Blauvelt, New York
FROM: Architecture and Community Appearance Board of Review

RE: **Westshore Plaza Sign Plan-Acupuncture & Herb Sign:**
The application of Westshore Plaza, owner, for Review of a Sign Plan at a site to be known as “**Westshore Plaza Sign Plan-Acupuncture & Herb Sign**”, 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 580 Route 303, Blauvelt in the Westshore Plaza, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.14, Block 4, Lot 13 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, November 3, 2022**, at which time the Board made the following determinations:

Louis Rakoszynski appeared and testified. The Board received the following items:

- A. Sign Plan prepared by Signs, dated August 23, 2022. Sign plan and location of sign on building.
- B. Copy of the Building Permit Referral prepared by Rick Oliver, Deputy Building Inspector

FINDINGS OF FACT:

1. The Board found that the applicant proposed a sign similar to previously approved signs for this shopping center. The sign box is existing and no work other than switching out the acrylic face is being done. The sign would have a main field of white with red and black lettering with a green, tan and black logo. The also proposed a white and black sign for the shopping center pylon sign.

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 as Presented**.

The foregoing resolution was presented and moved by Christopher Dunnigan, Chairman and seconded by Sharon and carried as follows: Christopher Dunnigan, Chairman, aye; Shirley Goebel Christie, aye; Deborah Stuhlweissenburg, aye; Brian Aitcheson, absent; Kenyatta Jones Arietta, aye; Sharon Burke, aye, and Joseph Milillo, 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 3, 2022
Cheryl Coopersmith

Cheryl Coopersmith
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**ACABOR #22-60
Hudson Valley iCampus Sign Plan
Approved as Presented**

Permit #Sign-158-22

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**TO: James Schwartz, 401 N. Middletown road, Pearl River,
NY 10977**
**FROM: Architecture and Community Appearance Board of
Review**

RE: Hudson Valley iCampus Sign Plan: The application of Pearl River Campus, owner, for Review of a Sign Plan at a site to be known as “Hudson Valley iCampus 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 401 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.08, Block 1, Lot 1 in the LI and LO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, November 3, 2022**, at which time the Board made the following determinations:

Seth Mandelbaum and Angelo Marino appeared and testified. The Board received the following items:

- A. Material Specification Sheet.**
- B. Building Permit Referral prepared by Rick Oliver, dated July 6, 2022.**
- C. Sign Plans prepared by Cardarelli Design & Architecture, dated August 31, 2022, last revised September 13, 2022.**
- D. Letter from McCullough, Goldberger & Staudt, signed by Seth Mandelbaum, dated October 11, 2022.**

FINDINGS OF FACT:

- 1. The Board found that the site has an existing entrance sign located near the intersection of North Middletown Road. The applicant is seeking approval to erect a new entrance sign to replace the existing monument sign, in order to promote better visibility from both directions on North Middletown Road.**
- 2. The Board found that the sign would be blue and white with black and blue lettering, as noted on the submitted plans. The sign would be internally lit by LED lighting.**

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.

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ACABOR #22-60
Hudson Valley iCampus Sign Plan
Approved as Presented

Permit #Sign-158-22

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DECISION: In view of the foregoing and the testimony before the Board, the application was **Approved as Presented**.

The foregoing resolution was presented and moved by Shirley Goebel Christie and second by Joseph Millilo and carried as follows: Christopher Dunnigan, Chairman, aye; Shirley Goebel Christie, aye; Deborah Stuhlweissenburg, aye; Brian Aitcheson, absent; Kenyatta Jones Arietta, aye; Sharon Burke, aye, and Joseph Milillo, 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 3, 2022
Cheryl Coopersmith



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**ACABOR #22-61
SMK Erie West Subdivision Lot #4
Approved as Presented**

Permit #BLDG-2124-22

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**TO: Sean Keenan, 24 Waters Edge, Congers, New York
FROM: Architecture and Community Appearance Board of
Review**

RE: SMK Erie West Subdivision – Lot #4 Plans: The application of SMK Homes Builders, owner, for Review of Site/Structure/Landscape Plans at a site to be known as “**SMK Erie West Subdivision – Lot #4 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 Private Del Regno, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.53, Block 1, Lot 20.2 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 3, 2022**, at which time the Board made the following determinations:

Sean Keenan appeared and testified. The Board received the following items:

A. Architectural Plans prepared by Kier Levesque, RA, dated August 10, 2022:

- A-1: Foundation Plan
- A-2: First & Second Floor Plan
- A-3: Elevations
- A-4: Elevations

B. Landscape Plan prepared by Steve Griggs Design, dated September 22, 2022.

C. Site Plan prepared by Jay Greenwell, PLS, dated May 2, 2022.

D. Material Specification Sheet, and Project Narrative prepared by Applicant.

E. A copy of the Building Permit Referral prepared by Rick Oliver, Deputy Building Inspector.

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FINDINGS OF FACT:

1. The Board found that the applicant proposed to construct a house in the SMK Erie West Subdivision, Lot #4. The house would have white vinyl siding, manufactured by Certainteed, or equal, and the roof would be black shingles, manufactured by Timberline, or equal. The gutters, leaders, windows would be black and the deck would be charcoal, with white railings and posts. The front door would be a double black door with glass inserts. The garage doors would be black with white sidings in carriage style.
2. The Board found that on the front elevation under the porch, brick veneer is noted. The Board granted the applicant the option to place brick veneer or stonework at this location.
3. The Board found that the landscaping plan was acceptable.
4. The Board found that the exterior air condition unit would be covered with vegetation and located on the side of the building.
5. The Board found that the trees to be saved shall be protected with snow fencing to the drip line during construction.
6. The Board found that no grading is to take place within five feet of any property line, except as specified on the approved site plan.
7. The Board found that if applicable, the applicant shall comply with the requirements of Section 21-25 of the Town of Orangetown Shade Tree Ordinance.

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 as Presented**.

The foregoing resolution was presented and moved by Joseph Milillo and second by Sharon Burke and carried as follows; Christopher Dunnigan, Chairman, aye; Shirley Goebel Christie, aye; Deborah Stuhlweissenburg, aye; Brian Aitcheson, absent; Kenyatta Jones Arietta, aye; Sharon Burke, aye and Joseph Milillo, 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 3, 2022
Cheryl Coopersmith

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**ACABOR #22-62
SMK Erie West Subdivision Lot #6
Approved as Presented**

Permit # BLDG-2125-22

**Town of Orangetown – Architecture and Community Appearance
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**TO: Sean Keenan, 24 Waters Edge, Congers, New York
FROM: Architecture and Community Appearance Board of
Review**

**RE: ACABOR #22-61: SMK Erie West Subdivision – Lot #6
Plans:** The application of SMK Homes Builders, owner, for Review of Site/Structure/Landscape Plans at a site to be known as “**SMK Erie West Subdivision – Lot #6 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 Private Del Regno, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.53, Block 1, Lot 20.7 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 3, 2022**, at which time the Board made the following determinations:

Sean Keenan appeared and testified. The Board received the following items:

A. Architectural Plans prepared by Kier Levesque, RA, dated April 18, 2022

- A-1: Foundation Plan
- A-2: First Floor Plan
- A-3: Second Floor Plan
- A-4: Elevations
- A-5: Elevations

B. Landscape Plan prepared by Steve Griggs Design, dated September 22, 2022.

C. Site Plan prepared by Jay Greenwell, PLS, dated May 2, 2022, last revised September 13, 2022.

D. Material Specification Sheet, and Project Narrative prepared by Applicant.

E. A copy of the Building Permit Referral prepared by Rick Oliver, Deputy Building Inspector.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to construct a house in the SMK Erie West Subdivision, Lot #6. The house would have vinyl siding in charcoal, manufactured by Certainteed, or equal. Stonework would be placed on the front façade, as noted on the plan. The stonework would be natural stone veneer in grey tone. The shutter would be black and the windows, corners, trim would be white. The roof would be pewter color, manufactured by Timberline, or equal.

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2. The Board found that the stairway on the front of the house, may require a foot step on grade. This is an option the applicant may elect.
3. The Board found that the garage doors would be white in a carriage style, there would be a paver walkway, the posts and rails on the front porch would be white, the front door would be black with glass inserts.
4. The Board found that the landscaping plan was acceptable.
5. The Board found that the exterior air condition unit would be covered with vegetation, and located on the side of the building.
6. The Board found that the trees to be saved shall be protected with snow fencing to the drip line during construction.
7. The Board found that no grading is to take place within five feet of any property line, except as specified on the approved site plan.
8. The Board found that the if applicable, the applicant shall comply with the requirements of Section 21-25 of the Town of Orangetown Shade Tree Ordinance.

The hearing was then opened to the Public.

Public Comment:

Michael Bowen, 19 Colony Drive, raised concerns regarding the vegetation, drainage and the existing rock wall. He noted that the project would affect the existing wetlands.

Eileen Staker, 21 Colony Drive, questioned the loss of privacy and removal of trees.

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 as Presented**.

The foregoing resolution was presented and moved by Joseph Milillo and second by Christopher Dunnigan, Chairman and carried as follows; Christopher Dunnigan, Chairman, aye; Shirley Goebel Christie, aye; Deborah Stuhlweissenburg, aye; Brian Aitcheson, absent; Kenyatta Jones Arietta, aye; Sharon Burke, aye and Joseph Milillo, 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 3, 2022
Cheryl Coopersmith

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**ACABOR #22-56
Databank Plans
Approved as Presented**

Permit #BLDG-1236-22

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**TO: Tony Qorri, 3110 North Central Avenue, Suite B-75,
Phoenix, Arizona 85012**
**FROM: Architecture and Community Appearance Board of
Review**

RE: Databank Orangeburg Plan: The application of Tory Gotti, applicant for 2000 Corporate Drive, LLC, owner, for Review of Site/Structure Plans at a site to be known as “**Databank Orangeburg 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 2000 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 19 in the LIO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Thursday, October 6 and November 3, 2022**, at which time the Board made the following determinations:

October 6, 2022

Brian Quinn, Tony Cory, Paul LeBlond, Gene Romaldini, Ben Diskin and Frank Mader appeared and testified. The Board received the following items:

- A. Material Specification Sheet and Project Narrative.**
- B. Building Permit Referral to the Planning Board dated May 18, 2022 signed by Rick Oliver, Building Inspector.**
- C. Board Decision: PB#22—36, Preliminary Site Plan Approval Subject to Conditions, dated July 13, 2022.**
- D. Plans prepared by Kimley Horn, dated January 27, 2022, last revised October 29, 2021, last revised September 20, 2022;**
 - C-0.0: Cover Sheet
 - C-0.1: Legend and General Notes
 - C-1.0: Zoning and abutters Plan
 - C-1.1: Existing Conditions
 - C-2.0: Building Demolition & Erosion Control Plan
 - C-2.1: Building Demolition & Erosion Control Details
 - C-3.0: Layout and Materials Plan
 - C-3.1: Vehicle Maneuvering (WB Truck)
 - C-3.2: Vehicle Maneuvering (Firetruck)
 - C-3.3: Site Plan – Phase I
 - C-4.0: Grading and Drainage Plan
 - C-5.0: Utility Plan
 - C-6.0: Erosion and Sediment Control Plan

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- C-6.1: Erosion and Sediment Control Details
- C-6.2: Erosion and Sediment Control Details
- C-7.0: Site Details
- C-7.1: Site Details
- C-7.2: Site Details
- C-7.3: Site Details
- LA-1.0: Landscaping Plan
- LA-1.1: Landscaping Details
- LT-1.0: Lighting Plan

E. Architectural Plans prepared by Highland Associates, dated March 11, 2022.

FINDINGS OF FACT:

1. The Board found that the applicant proposed to construct a single-story data center building including 146,000 SF of data center; 50,000 SF of office administration and 42,000 SF of open equipment yard including site roadways, parking, landscaping and infrastructure. Since the applicant did not require all the parking and loading dock under the Town Code, variances from the Town of Orangetown Zoning Board of Appeals were obtained.
2. The Board found that the façade would be siding of Precast Concrete Wall Panels, Kingspan Composite Metal Panels and Kawneer Curtain Wall System, or equal. The roof would be PCV Roofing Membrane System, Carlisle Sure-Flex Kee HP FleeceBACK in white, or equal. The windows would be Kawnee Curtal Wall System in clear anodized-1" insulated and Spandrel glass, or equal. The façade color schemes would be metal panels in gray with orange branding accents.
3. The Board found that the exterior air condition units would be roof mounted and a screen wall will be provided on the roof. The lighting would be down lit LED luminaires on light posted distributed along the roads and parking, and as shown on the submitted plan. LED Luminaires would also be wall mounted on the building at the exists and loading dock. All lighting will be in accordance with Town of Orangetown Town Code.
4. The Bound found that the applicant needed to submit an updated landscaping plan noting screening in the following locations:
 - a. Along the island and exist,
 - b. Along the emergency access road with landscaping all the way to the intersection.

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The hearing was then opened to the Public.

Public Comment:

Melody Feore, 99 Hunt Road, raised concerns regarding the fire exist and landscaping on site.

James Coffe, 139 Hund Road, requested more screening and was concerned with the fire exist.

Dave Rosen, 19 Buckingham Place, Old Tappan, noted that the neighborhood conducted their own sound study. He also requested as much landscaping as possible on the New Jersey side of the project site.

The applicant requested a CONTINUATION.

November 3, 2022

Brian Quinn, Paul LeBlond, Ben Diskin, Frank Mader Tony Cory, Lino Seiarretta, Dana Smith, Elizabeth Quartz and Gene Romaldini and appeared and testified. The Board received the following items:

A. Plans prepared by Kimley Horn;

- LA-1.1: Landscaping Details dated January 27, 2022, last revised October 29, 2021, last revised September 20, 2022
- Layout and Materials Plan Phase 1 (with fire Maneuvering), dated October 20, 2022
- Landbanking Parking Exhibit, dated September 26, 2022

B. Topography Survey prepared by Insite, dated March 24, 2022, last revised October 25, 2022

FINDINGS OF FACT:

1. The Board found that the applicant revised the Landscaping Plan to add multiple layers of vegetative buffering on the northern side of the site, added a staggered planting of vegetative buffer towards the baseball field and added new plants along the south side of the site. The applicant noted that in regard to the plantings in the stormwater basin and Town of Orangetown Easement, discussions were held with the Town of Orangetown Department of Environmental Management and Engineering, and requirements of the Town are presented on the revised planting plan. It was noted that a new revision date needs to be added to the plan, since it notes the date of the prior submission.

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2. The Board found that the generators would be tested Monday through Friday, no weekend testing is planned. In addition, during testing, only 2 generators would be tested at once.

The hearing was then opened to the Public.

Public Comment:

Holly Schepisi, speaking for the property owners in New Jersey, raised concerns regarding the landscaping plan. The landscaping plan date is the same as the prior submitted plan.

Melody Feore, 99 Hunt Road, raised concerns regarding Town of Orangetown easement and trees on her side of the project site.

James Coffe, 139 Hund Road, raised concerns regarding the Town of Orangetown Easement.

Leslie Whatley, Buckingham Place, Old Tappan, expressed concerns regarding the view, sound, lights and trees on the site, and impact to the surrounding property owners.

Dave Rosen, 19 Buckingham Place, Old Tappan, raised concerns regarding additional perimeter planting and visual and sound impacts to the neighborhood.

There being no one else 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 as Presented**.

The foregoing resolution was presented and moved by Joseph Milillo and seconded by Christopher Dunnigan, Chairman and carried as follows: Christopher Dunnigan, Chairman, aye; Shirley Goebel Christie, aye; Deborah Stuhlweissenburg, nay; Brian Aitcheson, absent; Kenyatta Jones Arietta, aye; Sharon Burke, aye, and Joseph Milillo, 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 3, 2022
Cheryl Coopersmith

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