

**TOWN OF ORANGETOWN ARCHITECTURE AND COMMUNITY APPEARANCE
BOARD OF REVIEW - MEETING OF SEPTEMBER 7, 2017**

MEMBERS PRESENT: Andrew Andrews
Brian Terry Christopher Dunnigan
Brian Aitcheson Shirley Goebel Christie

MEMBER ABSENT: Blythe Yost, Chair and Deborah Stuhlweissenburg

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

Andrew Andrews called the meeting to order at 7:30 p.m.
Mr. Andrews 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:

Brightview Senior Living Plan	ACABOR #17-33
Review of Sign Location Plan	Approved
31 Hunt Road, Pearl River	as Presented
73.15/1/10; R-80 zoning district	

TZ Liquors Sign Plan	ACABOR #17-34
Orangetown Shopping Center	Postponed
Review of Sign Plan	by Applicant; Rescheduled to 9/19/17
11 Orangetown Shopping Center, Orangeburg	
74.10/1/67; CS zoning district	

Subaru Distributors Corp. Plans	ACABOR #17-35
Review of Site, Structure	Approved Subject
and Landscaping Plans	to Conditions
6 Ramland Road, Orangeburg	
73.20/1/25; LIO zoning district	

Continued Item:

118 N. Middletown Road Roof Top Plan	ACABOR#17- 10
Review of Roof Top Wireless	Approved as
Communication Facility Plan	Presented
118 North Middletown Road, Pearl River	
69.13/1/3; CC zoning district	

A motion was made to adjourn the meeting by Shirley Goebel Christie and
seconded by Brian Aitcheson 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. The verbatim minutes are
not transcribed, but are available. As there was no further business before the
Board, the meeting was adjourned at 8:45 p.m. The next ACABOR Meeting is
scheduled for **TUESDAY, September 19, 2017.**

Dated: September 7, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

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TO: Donald Brenner, 4 Independence Avenue, Tappan, New York
FROM: Architecture and Community Appearance Board of Review

RE: **Brightview Senior Living Sign Plan:** The application of Shelter Development, LLC, applicant for Hegarty Homes, owner for Sign Location and Sign Plan Review at a site to be known as "**Brightview Senior Living 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 31 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 10; in the R-80 zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, September 7, 2017**, at which time the Board made the following determinations:

Donald Brenner and Diego Villareale appeared and testified. The Board received the following items:

A. Sign Location Plan prepared by JMC Consulting, dated December 9, 2015, last dated April 10, 2017.

B. Monument Sign Plan prepared by JMC Consulting.

C. Submitted at the meeting, Monument Sign Photo Exhibit of similar sign, prepared by JMC Consulting, dated September 7, 2017.

D. Landscaping Plan for Monument Sign, prepared by JMC Consulting, dated September 7, 2017.

E. Material Specification Sheet, signed by Diego Villareale, JMC Consulting.

F. Prior Board Decisions: PB #17-14, Preliminary Approval Subject to Conditions of Sign Location Plan, dated March 22, 2017; ACABOR #16-52, Amendment to ACABOR #16-03, Approved as Presented, dated September 8, 2016; ACABOR #16-03, Approved Subject to Conditions, dated January 7, 2016, and ZBA #16-93, Extension of time to implement Variances Granted in ZBA #15-90, dated October 19, 2016.

FINDINGS OF FACT:

1. The Board found that the sign would be "V" shaped; having two single sided high density urethane panels 1.5" deep. The sign background would be blue with white lettering and the word "Brightview" would be gold leaf. Fencing, as noted on the submitted plan, would be 1" aluminum, powder coated black. The piers would have stone veneer that match the stone at other locations on the site. Sign lighting would consist of state of the art lighting' LED lights mounted at the bottom of the sign. The applicant would maintain the sign.

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2. The Board found that a sign was needed at the corner of Hunt Road and Orangeburg Road since the project site is tucked away on Hunt Road and not visible due to a vegetative buffer. Rockland County Department of Highway was consulted regarding the location of the sign.
3. The Board found landscaping would be installed on either side of the driveway and around the sign, as noted on the submitted plan.

The hearing was then opened to the Public.

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 Brian Terry and seconded by Shirley Goebel Christie and carried as follows: Blythe Yost, Chair, absent; Shirley Goebel Christie, aye; Brian Terry, aye; Christopher Dunnigan, aye; Brian Aitcheson, aye; Andrew Andrews, aye; and Deborah Stuhlweissenburg absent.

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: September 7, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

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TO: Donald Brenner, 4 Independence Avenue, Tappan, New York
FROM: Architecture and Community Appearance Board of Review

RE: **Subaru Distributors Plans:** The application of Subaru Distributors Corp., owner, for the review of Site, Structure and Landscaping Plans at a site to be known as “**Subaru Distributors 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 6 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lot 25; in the LIO zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, September 7, 2017**, at which time the Board made the following determinations:

Donald Brenner, David Bilow and Diego Villareale appeared and testified. The Board received the following items:

The Board received the following items:

A. Plans entitled Subaru Distribution Center Plans, prepared by JMC Site Development Consultants, dated February 13, 2017, last revision date of August 10, 2017:

- SP-4: Site Layout Plan
- SP-8: Site Landscaping Plan
- SP-9: Site Lighting Plan

B. Architectural Plans prepared by Bilow Garret Group, dated December 20, 2016, last revision date of August 9, 2017, entitled “Part Building Elevations”.

C. Project Narrative, prepared by the applicant.

D. Copy of the Building Permit Referral signed by Building Inspector Rick Oliver dated January 27, 2017.

E. Copies of ZBA #17-29, Variances Approved, Dated April 19, 2017 and PB #17-15(B), Preliminary Site Plan Approval Subject to Conditions, dated April 12, 2017.

F. Material Specification Sheet, signed by David Bilow, September 6, 2017.

G. Submitted at the meeting, revised Architectural Plans prepared by Bilow Garret Group, dated December 20, 2016, last revision date of August 9, 2017, entitled “Part Building Elevations”, change in color of façade.

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FINDINGS OF FACT:

1. The Board found that the project consisted of a 130,000 square foot addition to an existing structure. The materials of the addition would consist of a façade of prefab concrete wall panels and split face concrete block, as noted in the submitted plan. The prefab concrete panels would be Multi Color Dark Tan (dark tan) and the split face concrete block would be dark tan. The roof would be a flat roof (TPO: thermoplastic olefin roof, or equal) in a color to match the concrete block. Over the building entrance would be a standing seam metal roofing system in blue. The Board determined that the addition material colors would blend nicely with the existing structure.
2. The Board found that the windows would be tinted glass in a grey tone, with the exception of the upper windows on the North face of the building. These windows shall be translucent to provide visual privacy to the abutting residential properties. The applicant has the option of having translucent windows on all the North face windows of the building.
3. The Board found that the project has received approvals from the Orangetown Planning Board, Preliminary Site Plan Approval Subject to Conditions, dated April 12, 2017 – PB #17-15(B) and obtained needed variances at the Zoning Board of Appeals on June 21, 2017 as ZBA #17-29, 2017.
4. The Board found that the lighting fixtures in the parking facility would be pole mounted, at a maximum height of 14 feet to the fixture, down lit with shields. In addition, there would be building mounted lights.
5. The Board found that the only air conditioning unit would be for a small office/service area in the building. This unit would be mounted on the roof.
6. The Board found that there would be a significant change to truck traffic on site, since trucks would be limited to the west side of the property. The truck bays on the east side of the property would either be relocated or removed.
7. The Board found that the site would have a substantial vegetative buffer on the North and East sides of the lot. The vegetative buffer would measure at least 100 feet wide, and in some areas greater than 100 feet wide. The buffers will be supplemented by evergreen plantings, as noted on the submitted Landscaping Plan.

The hearing was then opened to the Public.

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Public Comment:

Steve DelSavio, 262 Trenton Place, raised concerns regarding the loss of trees on the proposed land banked parking area. He held that if the site is like other properties in the area, the proposed trees will not grow 2 feet a years, as noted by the applicant. Mr. DelSavio questioned the need for windows in the rear of the building.

Laura DelSavio, 262 Trenton Place, expressed concerns regarding the height of the building addition and that the proposed trees would not cover the building. She expressed concerns regarding the loss of privacy in her backyard and requested that the structure not have rear windows.

Margaret Skvorec, 268 Trenton Place, requested information regarding maintenance of the site landscaping and buffers.

Bob Gorglione, 42 Valley Forge, held that the site is currently noisy and he requested sound attenuation material to be placed at heating units. He noted that the noise is out of control in the entire office park.

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 subject to the following Conditions:**

1. The proposed addition materials will consist of a façade of prefab concrete wall panels and split face concrete block, as noted in the submitted plan. The prefab concrete panels will be multi-color dark tan (dark tan) and the split face concrete block will be dark tan. The roof will be a flat roof (TPO: thermoplastic olefin roof, or equal) in a color to match the concrete block. Over the building entrance would be a standing seam metal roofing system in blue.
2. The building windows will be tinted glass in a grey tone, with the exception of the upper windows on the North face of the building. These windows shall be translucent to provide visual privacy to the abutting residential properties. The applicant has the option of having translucent windows on all the North face windows of the building.
3. The lighting in the parking facility will be pole mounted fixtures at a maximum height of 14 feet to the fixture, down lit with shields. In addition, there will be building mounted lights.

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ACABOR #17-35: Subaru Distributors Corp.
Approved Subject to Conditions

Permit #46124

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4. Trees to be saved shall be protected with snow fencing to the drip line during construction.
5. 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 Christopher Dunnigan and seconded Andrew Andrews and carried as follows: Blythe Yost, Chair, absent; Brian Terry, aye; Christopher Dunnigan, aye; Brian Aitcheson, aye; Deborah Stuhlweissenburg, absent; Andrew Andrews aye and Shirley Goebel Christie, 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: September 7, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

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ACABOR #17-10: Wireless Communication
Roof Top Facility Plan - 118 N. Middletown Road
Approved as Presented

Permit #46093

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TO: Leslie Snyder, 94 White Plains Road, Tarrytown,
New York 10591
FROM: Architecture and Community Appearance Board of Review

RE: **118 N. Middletown Road Roof top Co-location Plan:** The application of Verizon Wireless, applicant, for Pearl River Store Associates, owner, for the review of the Installation of a Roof Top Co-location Wireless Communication Facility at a site to be known as “**118 N. Middletown Road Roof Top Co-location 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 118 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 3; in the CC zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Thursday, April 20 and September 7, 2017** at which time the Board made the following determinations:

April 20, 2017

Edward Teyber appeared and testified for the applicant. The Board received the following items:

A. Plans prepared by Stephen Bray, P.E., dated August 10, 2016, last revision dated March 17, 2017:

- A01: Cover Sheet
- GN01: General Notes
- C01: Area Plan
- C02: Roof Plan
- C02A: Elevation
- C03: Equipment and Antenna Plans
- C03A: Equipment and Antenna Specifications
- C04: Antenna Mount Details (all sections)
- C04A: Antenna Mount Details (all sections)
- C04B: Railing Mount Detail
- C04C: Antenna Kickback Details (all sections)
- C05: Access Ladder Details
- E01: General Information
- E02: Service Plan (Ground Level)
- E02A: Service Plan (Rooftop)

B. A letter from Snyder & Snyder, dated March 17, 2017, signed by Edward Teyber, Esq.

C. A Visual Resource Evaluation for Site ID: Pearl River 3-RSC, prepared by KMB Design Group, dated March 15, 2017.

D. A copy of the Building Permit Referral signed by Building Inspector Glenn Maier dated January 13, 2017.

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FINDINGS OF FACT:

1. The Board found that the applicant proposed to install rooftop wireless communication equipment. The applicant submitted plans and a visual report depicting the location and color of the equipment on the structure, noting that the center of the structure provides for poor transmission and would not be feasible.

The applicant offered three color options for the equipment:

- a. Match the building façade
 - b. Match the building trim, or
 - c. "Neutral Sky" color.
2. The Board found that the façade of the structure had recently been rehabilitated, providing for a more modern design and enhanced appearance of the building. The Board and applicant discussed the placement of the equipment and its impact to the newly renovated building. It was suggested that instead of having the antennas protrude from the building; the antennas could be placed in notches of the building, mounted flush to the façade or appear as decorative elements as part of the building. The Board requested that the applicant investigate the alternative options for placement of the antennas with their architect.
 3. The Board found that proposed rooftop antennas are allowed by the Town of Orangetown Town Code, however, other municipalities have different local laws, and are placed in the public right of ways, i.e. street light poles.

The meeting was then opened to the Public.

The applicant requested a **CONTINUATION**.

September 7, 2017

Jordan Fry and Douglas Celland appeared and testified for the applicant. The Board received the following items:

A. Plans prepared by Stephen Bray, P.E., dated August 10, 2016, last revision dated August 1, 2017:

- A01: Cover Sheet
- GN01: General Notes
- C01: Area Plan
- C02: Roof Plan
- C02A: Elevation
- C03: Equipment and Antenna Plans
- C03A: Equipment and Antenna Specifications
- C04: Steel Framing Plan & Structural Details
- C04A: Steel Framing Plan & Structural Details
- C04B: Railing Mount Detail

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- C04C: Equipment Mount Details (All Sectors)
- C04D: Concealment Enclosure Details
- C04E: Antenna Mount Details (All Sectors)
- C05: Access Ladder Details
- E01: General Information
- E02: Service Plan (Grade Level)
- E02A: Service Plan (Roof)

B. A letter from Snyder & Snyder, dated August 3, 2017, signed by Leslie Snyder, Esq., with an attachment.

C. A Visual Resource Evaluation for Site ID: Pearl River 3-RSC, prepared by KMB Design Group, dated July 31, 2017.

D. An Antenna Site FCC Compliance Assessment and Report for Pearl River 3 RSC Site, prepared by Pinnacle Telecom Group, dated July 31, 2017.

E. A letter from KMB Design Group, signed by Stephen Bray, P.E., dated July 31, 2017.

FINDINGS OF FACT:

1. The Board found that in response their comments, the applicant redesigned the Roof Top facility, enclosing it in a stealth enclosure to conceal them from view (2 antennas), as well as match the façade of the building.
2. The Board found that the wireless facilities will be setback 12 feet from the front of building, as noted on the submitted information.

Public Comment:

Brendon Bane, 49 Colonial Court, requested information regarding the height of the building and placement of the equipment on the roof. Mr. Bane expressed concerns regarding the environmental impacts from the antennas.

Patty Reddan, 63 Colonial Court, raised concerns regarding the appearance of the site.

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 Brian Aitcheson and seconded by Brian Terry carried as follows; Blythe Yost, Chair, absent; Shirley Goebel Christie, aye; Brian Terry, aye; Brian Aitcheson, aye; Andrew Andrews, aye, Christopher Dunnigan, aye and Deborah Stuhlweissenburg, absent.

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: September 7, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

Cheryl Coopersmith

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