

**Town of Orangetown Architecture and Community Appearance Board of Review
Meeting of May 16, 2019**

MEMBERS PRESENT:

Andrew Andrews, Chairman Shirley Goebel Christie Brian Aitcheson
Christopher Dunnigan Deborah Stuhlweissenburg

MEMBER ABSENT: Katie Beckmann and John McCullough

ALSO PRESENT: Barbara Gionta, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Christian Catania, Senior Clerk Typist

Andrew Andrews, Chairman, 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.

A. J.'s Kitchen Outdoor Seating Plan **ACABOR #19-04**
Review of Outdoor Dining Plan **Approved**
17 North Main Street, Pearl River **as Presented**
68.16/1/19; CS zoning district

Other Business:

Mickey's Tavern (68.20/2/2 50) East Central Avenue, Pearl River: The Board reviewed and approved the lighting fixture submission to satisfy PB #18-22, Façade Improvement Plan, Condition #2; Façade Lighting.

A motion was made to adjourn the meeting by Shirley Goebel Christie and seconded Deborah Stuhlweissenburg 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 7:50 p.m.

Dated: May 16, 2019

Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN OF ORANGETOWN
MAY 21 11:14
TOWN CLERK'S OFFICE

ACABOR #19-04: A. J.'s Kitchen Outdoor Seating Plan Permit #48457
Approved as Presented
Outdoor Dining Plan

Town of Orangetown – Architecture and Community Appearance
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TO: Douglas Faehndrich, 31 Fairmont Avenue, Hackensack,
New Jersey 07601
FROM: Architecture and Community Appearance Board of Review

RE: **A.J.'s Kitchen Outdoor Seating Plan:** The application of Douglas Faehndrich, applicant for Andrew Tannariello, owner, for the review of an Outdoor Seating Plan at a site known as “ **A.J.'s Kitchen Outdoor Seating 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 17 North Main Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 19 in the CS zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at meetings held **Thursday, February 7 and May 16, 2019**, at which time the Board made the following determinations:

February 7, 2019

Douglas Faehndrick and Alex Servidio appeared and testified.

The Board received the following items:

- A.** Photographs of the furniture of the proposed outdoor dining area.
- B.** Site Plan depicting location of outdoor dining area in relation to existing restaurant and sidewalk.
- C.** Project Narrative.
- D.** Material Specification Sheet and a color photograph of the proposed borders to be used to surround the seating area.
- E.** Sidewalk seating area Plan, prepared by Douglas Faehndrich, dated January 20, 2019.
- F.** Survey plan prepared by Kier Levesque, R.A., last revised August 1, 2018.
- G.** Copy of the Building Permit Referral dated January 11, 2019 prepared by Rick Oliver, Deputy Building Inspector.

FINDINGS OF FACT:

1. The Board found that the applicant presented a layout of the outdoor dining area. The total dimension of the dining area would measure 5' by 11', with two tables and four benches. Due to New York State Liquor License requirements, the dining area needed to be a defined area. The applicant proposed to create a fence/ barrier in wood and metal, dark orange and black colors. The total square footage of the eating area would be 66 square feet. The measurement from the barrier to the street curb would be 8 feet.

TOWN CLERK'S OFFICE
2019 MAY 21 14:11
TOWN OF ORANGETOWN

ACABOR #19-04: A. J.'s Kitchen Outdoor Seating Plan Permit #48457
Approved as Presented
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2. The Board found that the seating area would consist of one table measuring 4' by 2'-2" with a bench on either side of the table, each bench measuring 4' by 9". The second table would measure 5' by 2' and on either side of the table would be a bench measuring 5' by 9"; total seating would be for 8 people.
3. The Board found that the applicant proposed to bolt down the street furniture to the public sidewalk. The applicant was advised that bolting down furniture would not be an option in the public right of way. It was recommended that the applicant consider alternative furniture.

The hearing was then opened to the Public.

The applicant requested a **CONTINUATION**.

May 16, 2019

Douglas Faehndrick appeared and testified.

The Board received the following items:

- A. Revised Site Plan depicting location of outdoor dining area in relation to existing restaurant and sidewalk.
- B. Submitted at the meeting a side elevation of the sidewalk and bench.
- C. Project Narrative dated May 1, 2019.

FINDINGS OF FACT:

1. The Board found that the proposed sidewalk seating area was acceptable, noting a picnic table seating for 8 people. The table measures 8 feet long by 4 feet wide
2. The Board found that the revised plan better accommodates the slope in the sidewalk, avoids putting anchors into the sidewalk and uses only one table in the café area.
3. The Board found that the table would be surrounded by wood and wrought iron barricades painted black and red/orange, as noted in the applicant's submittal. The table, benches and barricade will be taken into the store at night.

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 Deborah Stuhlweissenburg and seconded by Shirley Goebel Christie and carried as follows; Andrew Andrews, Chairman, aye; Shirley Goebel Christie, aye; Deborah Stuhlweissenburg, aye; Christopher Dunnigan, aye; Katie Beckmann, absent; Brian Aitcheson, aye and John McCullough, 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: May 16, 2019
Cheryl Coopersmith
Chief Clerk Boards and Commissions

Cheryl Coopersmith
TOWN OF ORANGETOWN
MAY 21 4:11:14 PM 2019