



**TOWN OF LEWISBORO**  
**Westchester County, New York**

**Architecture and Community Appearance Review Council**  
**PO Box 725**  
**Cross River, New York 10518**

**Tel: (914) 977-8038**  
**Fax: (914) 763-3637**  
**Email: lewplan2@westnet.com**

**ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL**

**MINUTES**

**Wednesday, September 10, 2014**  
**8:00 P.M.**

**Town House**  
**11 Main Street, South Salem**

The meeting was called to order at 8:05pm.

Present: Gail Ascher  
Ciorsdan Conran, Chair  
Virginia LoBosco  
Kenneth McGahren  
Julie McCormick, secretary (no voting privileges)

Absent: Stephen Hoyt

- I. Review of the July 9, 2014 minutes was held. Ms. Conran made a motion to accept the minutes as presented. Mr. McGahren seconded. Ms. Ascher and Ms. LoBosco were in favor. Mr. Hoyt was absent. Motion passed.
- II. **Applications for further discussion**

**HELD - Cal. No. 18-13-ACARC** This is an application of the **Cross River Plaza**; [Owner of Record: EK Cross River, LLC] Property Address: vacant lot on Rt. 35 in between front entrance of The Meadows located on Rt. 35 and the Cross Wine Merchant located at 16 North Salem Road, Cross River in the matter of new free standing sign on Rt. 35.  
**Sheet 17, Block 10533, Lot 116, Zone RB**

**Cal No. 1-14-ACARC Review** This is an application by **02 Living/Cross River Wellness, LLC** to review Resolution 1-14 ACARC filed with the Town Clerk.  
**Sheet 18, Block 10533, Lot 24, Zone SC-RB**

Andrew Wynnyk, architect, was present to explain that Rosemary Devlin, owner of O2 Living would like to appeal the decision made on March 12, 2014 regarding the graphics and color of her current sign which was put in place without prior ACARC approval. A violation was issued by the Building Department on January 6, 2014. After 2 sessions on February 12, 2014 and March 12, 2014 ACARC had approved by a vote of 4-0 with Mr. Hoyt absent for the vote, to have the multicolored planks with background graphics to be replaced by Tiffany Blue planks with white lettering. The resolution was mailed to Rosemary Devlin on July 15, 2014 after a delay in obtaining revised graphics to comply with the resolution. The cover letter instructed Ms. Devlin to remedy the violation without 3 months. During the discussion in February, there was concern by ACARC that the present sign was also in the DOT right of way as shown on a revised site map prepared for the Planning Board. Julie McCormick was able to find previous zoning and highway department files that allowed the current sign's size and location. As long as the sign is not moved or completely replaced, it may remain in its current place.

Mr. Wynnyk gave the Council a letter prepared by Ms. Devlin stating her reasons for wanting to keep the current sign. In the interim between when the sign was approved and before the implementation of the changes, Ms. Devlin found an increase in customer traffic which she attributes to the sign's bright colors and branding of the various services and products she offers. She has been rethinking all the shop signs located on several buildings within the same lot. She is asking for more time to prepare a complete and cohesive branded sign package to be reviewed by ACARC without leaving the Council with the impression that she is being cooperative.

Mr. Wynnyk brought an updated logo design. The font of the lettering is different as well as some of the colors. He is looking for recommendations from the Council to relay to the owner.

Some photos were presented to the Council to show the current signage in place. Ms. Ascher commented the sign on the front of the building facing Rt. 35 was in violation due to its oversize proportions and covering a window's architectural detail and egress opportunity in case of a fire. Ms. Conran said it be a plus if she considered removing it but obviously ACARC would want to see the replacement prior to being installed. It was agreed that the current wall sign had not been previously approved. Ms. Conran said she counted up to 5 different kinds of signs on the premises. If Ms. Devlin wants to depart from the current colors that would be fine as long as she follows the design standards.

Ms. Conran said going forward Ms. Devlin should keep in mind the design standards as found in §185 of the Town Code while creating her new design and logos. Some points that Ms. Conran highlighted were:

- Signs should not cover architectural features or details
- Groups of related signs or multiple signs located on the same premises should express uniformity and create the sense a harmonious appearance
- The code is vague about the number of colors allowed in that it should be kept to a minimum based on the design. The Council is requesting that the number of colors should be kept to 3 if possible. Looking at the updated logo it does seem possible; black, white and the blue.

Ms. Conran expects new designs by February for review to be installed the following spring. Ms. Conran told Mr. Wynnyk if this timeline is not acceptable to Ms. Devlin to contact Ms. McCormick. Mr. Wynnyk asked if the letter would be read into the minutes to emphasis the points it makes. Mr. McGahren has no trouble with what the letter says and has no objection to changing the signs to increase business. He says by sticking to the Code the new design should be fine. Ms. McCormick will insert the letter into the permanent file for O2 Living's application.

More discussion followed regarding the previous existence of original shutters, possibly historical, on the main building that faces Rt. 35 as evidenced by the remaining hinges. There are 3 structures in all, one structure houses

6-7 “buildings or shops” within which makes designing for all the different businesses more difficult. Ms. LoBosco said she feels for Ms. Devlin that even though O2 Living is one company, she is still trying to create an identity for each of the small areas within using all the different colors.

It was decided that the Resolution will stay on file with the Town Clerk until a new Resolution supersedes it.

**HELD Cal. No. 9-14-ACARC** This is an application by **Town of Lewisboro** in the matter of additional signage posted at the western end of Spring St at the intersection with Rt. 35 to an existing sign post.

**ADJACENT to Sheet 30, Block 10542, Lot 13, Zone SCR-1A – no B/L assigned to this parcel per tax assessor’s map**

**Cal. No. 14-14-ACARC/BD** This is an application of **Elizabeth Beeby** [Owner of Record] Property Address: 52 Bouton Road, South Salem in the matter extending and adding to an existing front porch.

**Sheet 32, Block 10804, Lot 25, Zone SCR-2A**

Beth Beeby has requested that the current application for a review of an expanded front porch be replaced with the approval of a new front door only and resurfacing of the chimney. Ms. Beeby submitted a picture of a front door with side lights she would like to replace her current front door with. She plans to finish it with a natural stain. She still owes ACARC the measurements and the make and model of the door but has assured Ms. McCormick that it is the same size as the current door. Ms. Ascher said it was a much nicer door than the one in the photos shown in the photos.

Ms. Beeby has recently 2 approved applications. Cal #11-13 was approved on August 21, 2013 for a fence to enclose the property. On June 11, 2014, ACARC approved Cal# 7-14 ACARC to reshingle the house finished with a natural stain and white moldings around the windows, to remove the shutters, to resurface the foundation of the house with stone and to remove overgrown shrubs along Bouton Rd to be replaced by trees. Ms. McCormick stated that the shutters have been removed but no other work has been completed so far. Ms. Ascher said it would be nice to have an updated photo. Ms. McCormick will send one to ACARC tomorrow.

For the chimney she is planning on using stone veneer to cover the chimney cinder blocks. Ms. McCormick could not get a photo of that part of the house due to the overgrown bushes in the front of the house.

Ms. Ascher stated that ACARC should have a limitation on the Resolutions because other factors happen. If a time limit was set during an executive session, the proposal would have to go to the Town Board to have the Code reflect the change. They all agreed a limitation would be a good idea but the time limitation was a point of discussion. A possibility was to reduce the fee if an applicant needed a renewal on their Resolution. Ms. LoBosco thinks there should be some limitation so that 5 years don’t go by before the work is done.

Mr. McGahren gave Ms. Beeby credit for coming to the Council for approval when others would have changed the chimney and not said anything.

Ms. Conran made a motion to accept the application to reface the chimney with a stone veneer and the replacement front door with 6 lights on the door and 3 lights on each side. Ms. Beeby will send a spec sheet to Ms. McCormick. Ms. LoBosco seconded the motion. All were in favor. Motion passed.

**Application approved.**

### III. NEW SUBMISSIONS:

**Cal. No. 18-14-ACARC/PB** This is an application by Sprint Corporation on behalf of American Tower [Owner of Record] Property Address: Leon Levy Preserve Route 123 South Salem, in the matter of cellular equipment grade  
**Sheet 40, Block 10263, Lot 62, Zone R2**

Doug Warden, attorney from Snyder & Snyder LLC on behalf of his client Sprint/Nextel, who leases space on the American Tower's cell tower located within the Leon Levy Preserve on its own parcel of land located at 1141 Rt. 35 South Salem. Sprint is the third lowest carrier on the tower. Sprint is asking for approval for a modification of an existing antenna system on the existing 126 ft lattice cell tower. As it stands now it is 180' located above sea level. Currently there are 6 antennas which they would like to replace with 3 upgraded antennas to keep up with all the cellular changes. The existing antennas are 53"X6"X2. The new antennas will be slightly larger measuring 72"X11"X7" and those antennas will have 2 remote radio heads each. The remote radio heads allow an antenna to do the work of several. Mr. Warden was asking for a positive recommendation to the Planning Board so they could proceed with that aspect of the application process. Mr. McGahren summarized that Sprint was asking for an additional 20" of space. The case will be an off white color. Ms. Conran asked if there will be any other changes at the site. Mr. Warden said there will be out of sight changes. The changes will be done inside the existing equipment shelter, nothing discernible to the eye. Ms. Ascher asked about mock ups or photos of what it might look like. Mr. Warden pointed out the site plans has a spec sheet for the individual antenna, however there was not one that showed the antennas on the tower to show the proportions. Considering the height of the tower it will be a very small change overall. In addition the tower is not very visible if at all throughout the town. Ms. Conran and Ms. McCormick went to the site on the day before to gather some photos of the existing tower which they shared with the Council. They agreed that the visibility even in the Preserve was extremely low unless you were right upon it. Ms. Conran took another trip to Spring Hill Lane, a high point near the site. She felt that even without the leaves on the trees the cell tower it was not visible. The tower does not have an impact on the town visually. Sprint will not be increasing the cell profile in any way. Ms. Conran asked if there was any other discussion. Being there was no more discussion, Ms. Conran made a motion to accept the approve the changes on the 126' multi-carrier cell tower changing out the set of (6) 53" antennas with a set of (3) 72" antennas to be done in off white. Mr. McGahren seconded the motion. All were in favor. Motion passed.

**Application approved.**

### V. CORRESPONDENCE/E-VOTES

#### **Banners at St. John's St. Paul's**

Peter Bates on behalf of St. John's and St. Paul's churches in the hamlet of South Salem has inquired about the possibility and the process to get approval from ACARC to display banners at both churches. Mr. Bates sent pictures of ones used at St. Luke's School in New Canaan, CT as a model. He did not have a design yet but knew that he would like to install 3 poles at St. John's and a few, no number given, at St. Paul's. The topic was brought

up at the meeting for discussion due to the Town Code prohibits banners. There is a modification clause in the Code that gives the Council latitude in judgment if they wanted to make an exception.

Ms. LoBosco made a point that St. John's already has a signage. Ms. LoBosco asked for the reason for the extra signage. Mr. Bates wanted to show a more active feel in the community and have a "campus feel" at St. Paul's. The poles would be classified a free standing sign per Ms. Ascher. According to the Code each premises is allowed one free standing sign per access driveway.

Ms. LoBosco said that Thistlewaite would want to be allowed banners if St. John's Early Learning Center was allowed banners. Ms. Ascher said we wouldn't want to create this snowball effect. Just counting the religious institutions alone there is a high concentration in South Salem. Ms. LoBosco appreciated what they were trying to do; get more parishioners; but they are still in little historic areas also.

There was some further discussion regarding limiting the number of banners and the size of banners but it was still not acceptable. Mr. McGahren mentioned that temporary banners for a short period of time would be acceptable. Ms. Ascher thought it might not achieve their objective.

Ms. Ascher thought religious institutions in general might be an issue to discuss to see how the Code addresses them as a separate concern.

#### **Signage for St. John's at the corner of Spring St. and Rt. 35.**

Peter Bates also submitted a design for a sign that they would like to replace the current sign with at the corner of Spring St. and Rt. 35. Ms. McCormick told him that there is an ongoing discussion regarding that corner lot due to the Purple Heart sign request from the Town Board. Ms. McCormick will keep him updated if plans move forward to consolidate the signs presently there. Mr. Bates was agreeable but would like to move quickly if possible to get the new sign, whatever it turns out to be, in place.

#### **27 Main Street, South Salem**

Priscilla Page has been in contact with Ms. McCormick to inquire if the house at 27 Main Street has historical significance. Ms. Page is looking into purchasing the house that is adjacent to their lot with the intention of demolishing the house to have the lots merged. Ms. McCormick put her in touch with the Town Historian, Maureen Koehl.

#### **Lukoil Signage**

Lukoil is the new leasee of the gas station on the Oakridge Gardens parcel. They have been contacted to get their new signage approved by ACARC however they have not complied. Phil Pine is the owner of the property. Ms. McCormick will contact Mr. Pine to file the application for sign approval. The review can be done without the presence of Lukoil.

**V. NEXT MEETING DATE:** October 8, 2014.

**VI. Adjourn Meeting** – With no further business, the meeting was adjourned by Ms. Conran at 9:13.

Minutes respectfully submitted by:

Julie McCormick, ACARC secretary  
September 10, 2014