

**VILLAGE OF UPPER NYACK
ARCHITECTURAL REVIEW BOARD MEETING
Monday, March 8, 2021**

Minutes

A meeting of the Architectural Review Board of the Village of Upper Nyack was held on the above date via videoconferencing in accordance with the Governor's Executive Order 202.1 due to the COVID-19 emergency and called to order at 6:00pm by Vice Chairman, Gretchen Reinheimer.

Other Board members present: Michael Williams, Silvia Luzi, Eileen McCabe-Sares and Thomas Gaffney.

Also present: Noelle C. Wolfson, Esq., Consulting Attorney; Jillana Sinnott, Secretary

6:00pm: Vice Chairman, Gretchen Reinheimer opened the meeting and asked for a motion on the minutes.

Approval of Minutes: Board Member Eileen McCabe-Sares moved to approve the Draft Minutes as amended from February 8, 2021; SECOND: Sylvia Luzi.

6:03pm: Julianna Benedick, Owner and Scott O'Connor, Contract Purchaser, 204 Highmount Avenue, County Map No. 60.17-01-40.

Said property is located in Residential Zoning District R-4.

This Applicant submitted to the clerk the Certificate of Mail receipts of neighbor notification.

The Application was represented by Julianna Benedick, Homeowner and Scott O'Connor, Contract Purchaser.

The Applicant reviewed the submitted plan for the installation of a fence on property improved with an existing single family residence. The Applicant was not able to share the plan on the screen so the Village Secretary shared the plan. The Contract Purchaser would like to install a fence to keep his two small children safely in the yard. It will be a vinyl four foot tall white picket fence. A privacy fence is not needed. The locations of two gates have not yet been determined.

The Board reviewed the plan.

Board Member Gaffney questioned whether there will be gates installed where the walkway is on Front Street or will it be a continuous fence. The Applicant has not yet decided on the location of two gates. One gate might go on Front Street where the steps are but they have not decided yet.

Board Member Gaffney inquired whether the fence would follow the contours of the property and have a step down or would the top of the fence be at the same level. The Applicant said there could be one or two step downs which will create openings at the bottom that will be filled in with plants and evergreens.

Board Member Luzi questioned what the fence connects to. The Applicant explained there is an easement between the properties that has a wall and a natural boundary that the children cannot get through.

Chairman Williams discussed the location of the existing fence by the easement on the north side. The step down of the fence would need to be on the east to west side of the property.

The Board reviewed the cardinal points of the house on the property.

The location of the gates were discussed. The Chairman felt that a good location for a gate would be on the Front Street side of the property where the steps are as most of the egress and ingress of visitors will be from that side as Highmount Avenue is very steep for parking. The Applicant decided that a gate on the east side by the patio steps would be one location. The other location for a gate would be by the driveway.

MOTION: Member Gretchen Reinheimer moved to open the public hearing: **SECOND:** Silvia Luzi. Unanimously **APPROVED**

There were no comments from the public.

The BOARD had no further questions.

MOTION: Member Sylvia Luzi moved to close the public hearing: **SECOND:** Eileen McCabe-Sares. Unanimously **APPROVED**

The BOARD had no further questions.

MOTION: The Board moved to approve the application based on the plans presented on the following conditions: 1. Survey should be updated to show the gate on Front Street above the steps. 2. Survey should be updated to show the gate at the west section where the stairs and driveway are. 3. A note on the survey noting that the picket fence will have step downs to accommodate the grading of the slopes on the west to east side.

MOTION BY: Silvia Luzi

SECOND: Thomas Gaffney

VOTE: Unanimously **APPROVED**

6:50pm: Widewater Hudson River, LLC, 539 North Broadway, County Map No. 60.10-01-14.

Said property is located in Residential Zoning District R-2.

This Applicant submitted to the clerk the Certificate of Mail receipts of neighbor notification.

The Application was represented by Jay Greenwell, Land Surveyor.

The Applicant explained that this is a re-application because the Planning Board site plan three year approval had lapsed. The only change to the site plan is that the southern end of the patio has rectangular corners now. The finishes will be limestone with a slate roof to match the existing house. There have been no changes to the architectural details previously submitted.

The Board reviewed the plan.

Board Member Thomas Gaffney inquired if the patio area by the pillars are open space, the Applicant stated yes.

Board Member Silvia Luzi inquired why the pool area is not symmetrical. The Applicant stated that this is what the homeowner wanted.

MOTION: Member Silvia Luzi moved to open the public hearing: SECOND Eileen McCabe-Sares; Unanimously APPROVED

There were no comments from the public.

MOTION: Member Eileen McCabe-Sares moved to close the public hearing: SECOND Silvia Luzi; Unanimously APPROVED

The BOARD had no further questions.

MOTION: The Board moved to recommend approval of the last revised plans dated 08/26/2019, pages PH-A1 and PH-A2 by Douglas VanderHorn Architects, Architect for Widewater Hudson River, LLC Residence as submitted, to the Planning Board on the condition that the applicant comply with the above referenced plans and that the finishes are as indicated on the finish schedule submitted by the Applicant. The Board will submit a recommendation form to the Planning Board as a record of the recommendation of approval.

MOTION BY: Michael Williams

SECOND: Silvia Luzi

VOTE: Unanimously APPROVED

Other Business:

The Village Consulting Attorney discussed the draft Architectural Review Board application, checklists, which, if adopted, each applicant would be required to submit prior to being placed on

an ARB agenda. The Board members should be familiar with the new Local Law #6 that was adopted by the Board of Trustees. The Building Department has made some suggestions to the checklists which will be updated and distributed to the Board. The Board Members discussed the checklists.

The village Consulting Attorney will revise the checklists and send to the Board Members. She asked that the Board Members review the application form packet and forward all comments to her, the Chairman and Vice Chairman so that the checklists can be updated and adopted at the next meeting. Such feedback should be provided by March 22 to allow time for revision and recirculation of the checklists prior to the Board's April meeting.

Mayor Karen Tarapata spoke to the Board regarding the potential modification of Local Law #6 to eliminate the requirements for ARB review of the repainting of a building where no other work requiring a building permit is required, and to require such review only in the context of applications which otherwise require a building permit. The Village Consulting Attorney explained that the Law could be amended to make a change to have painting only reviewed when part of an exterior permit and sought feedback from the Board Members on that issue. The Chairman advised the Board Members to consider this issue, and to provide feedback by email to the Chairman, vice Chairman and consulting attorney within two weeks of the date of the meeting.

The meeting was adjourned at 7:34pm by Board Member Gretchen Reinheimer and Seconded by Board Member Thomas Gaffney.

Respectfully submitted,

Jillana Sinnott, Secretary