

**VILLAGE OF UPPER NYACK
ARCHITECTURAL REVIEW BOARD MEETING
Monday, May 10, 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 and Eileen McCabe-Sares.

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

6:01pm: Vice Chairman, Gretchen Reinheimer opened the meeting and asked for a motion on the minutes.

Approval of Minutes: Board Member Silvia Luzi moved to approve the Draft Minutes as amended from April 12, 2021; SECOND: Eileen McCabe-Sares.

6:02pm: **Giuseppe and Denise Pagano, 309 North Broadway, County Map No. 60.18-01-42.1.**
Continuation from April 12, 2021.

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

The Application was represented by Carolle Huber, Landscape Designer and Giuseppe and Denise Pagano, Homeowners.

The Applicant reviewed the submitted plan for the addition of an in ground pool with decking and retaining walls on an existing single family residence. There will be new post and split rail fencing on the sides of the property inside the property line. It will be a three split rail with black mesh wire and according to pool code. The existing split rail fence will have mesh added to it. There will be self-closing gates.

The Board reviewed the plan.

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 Site Plan & Zoning plan dated 04/19/2021, page 1 and Pool Plan Planting Plan & Key page 2 by Carolle Huber, Landscape

Architect, for Pagano 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: Silvia Luzi

SECOND: Eileen McCabe-Sares

VOTE: Unanimously APPROVED

6:10pm: Laura Yassky, 214 Radcliff Drive, County Map No. 60.5-02-49.

Said property is located in Residential Zoning District R-1.

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

The Application was represented by Stefanie Kusmann, Empire Solar and Laura Yassky, Homeowner.

The Applicant reviewed the proposed roof mounted solar system. The house sits on a hill so it is difficult to see the panels. The photos were reviewed of the view of the neighbors. There is no neighbor to the north due to the location of the house.

The Board reviewed the plan.

Vice Chairman Gretchen Reinheimer noted that in the narrative it says black framing but on page 4 of 5 of the drawings it states frame material is anodized aluminum. Stefanie from Empire Solar noted that they only install black frames and the engineer might have pulled the wording from a previous application.

The Homeowner stated that a tree had fallen on the roof and it needed to be replaced. They then decided they wanted to install a solar system so they decided on black roof so the black panels would work.

Member Silvia Luzi questioned why on array 6 and 7 the panels are not aligned. The Applicant stated it is because of fire code access that is required.

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** Gretchen Reinheimer; Unanimously APPROVED

The BOARD had no further questions.

MOTION: The Board moved to approve the last revised plan dated 4/13/2021, page S2 by Empire Solar for Yassky Residence for a roof mounted solar system as submitted.

MOTION BY: Silvia Luzi

SECOND: Gretchen Reinheimer

VOTE: Unanimously APPROVED

6:25pm: Gianni Zanin and Beth Edwards, 327 North Broadway, County Map No. 60.18-01-34.

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 Gianni Zanin, Homeowner.

The Applicant reviewed proposed fencing. The front of the house has an existing wooden white picket fence. At the end of the driveway they would like to install a white PVC fence starting at the back of the house to the current fence. There will also be fencing for the chickens that were approved at the ZBA on April 28, 2021 on the east side of the yard. It will be approximately 2x4 made of wooden posts and chicken wire or mesh depending on what is available. There will be no roof just the same mesh as on the sides. The fencing is attached to the coop.

The Board reviewed the plan.

MOTION: Member Eileen McCabe-Sares moved to open the public hearing: **SECOND** Silvia Luzi; 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 approve the gate and chicken coop fencing for Zanin/Edwards as described in the narrative dated April 20, 2021 and the Survey Map by Robert R. Rahnefeld dated March 15, 2021 as submitted.

MOTION BY: Silvia Luzi

SECOND: Eileen McCabe-Sares

VOTE: Unanimously APPROVED

6:37pm: Maria Soraire, 115 Larchdale Avenue, County Map No. 60.05-02-5.1.

Said property is located in Residential Zoning District R-1.

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

The Application was represented by Maria Soraire and Chase Altneu, Homeowners.

The Applicant Chase Altneu, reviewed the application for fencing. There will be a post and rail fence on the property line and a moveable chicken fence. The property is located on a corner so there are two sides that do not have neighbors. There have been numerous people that walk across the property so they would like to put the post and rail fence on the property line to protect them from any liability of people being on their property. It will consist of two rails and would be installed on the Midland Avenue and Larchdale Avenue sides to the property line at the neighbor's house. The fence will be natural wood with 10'L rails installed approximately 4' from the road.

Vice Chairman Gretchen Reinheimer questioned about fencing that is currently there and is it the same thing as this perimeter fence. The applicant stated that it was not that what is there now is a preliminary fence for a garden and is not a standing structure.

Member Silvia Luzi questioned whether there will be a gate at the driveway. The applicant stated that there would be not. The plan will be revised to show an opening at the driveway.

Vice Chairman Gretchen Reinheimer questioned whether there will be mesh on the openings of the fence. The Applicant stated that it will be open and no mesh will be installed.

The Applicant then reviewed the fencing for the chicken coop. The chicken coop is mobile and pulled by a tractor and will be moved every morning. It will be moved around the 1.5 acre property but will remain at least 25' from all side of the property line. There will be 7 female chickens that will graze the property. The wire mesh fencing will be moved along with the coop so that it creates a 10x10' square enclosure for them to roam. The enclosure will be 2'H with a roof over it made from the same mesh wire supported by the coop. This will protect the chickens from the hawks. There will be a dome of electric fencing that will go around the chickens and the coop to protect the chickens.

The Board reviewed the plan.

Chairman Michael Williams would like to know how the chicken coop with the netting attaches and how it is moved. The applicant said that the fencing will be moved first by rolling it up and putting it in the new location. The fence cover is flat and horizontal and the coop will be located within the fencing. The Chairman and the Board would like to see a representation of the coop inside the fence and how it attaches to the vertical walls of the fencing. There was a discussion of the garden fencing that is existing. The Chairman noted that the garden fencing will be handled separately. The Board discussed whether the applicant needed to return to or could be conditionally approved without actually seeing what the cover of the chicken run will look like. The Board voted and there was no quorum. There was no majority of the Board so Counsel noted that the application would need to be continued.

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

There were no comments from the public.

The Chairman and the Board would like to see a representation of the coop inside the fence and how it attaches to the vertical walls of the fencing. The narrative should also be updated. They would also like to review the roof of the run.

The BOARD had no further questions.

MOTION: Chairman Michael Williams moved to continue the public hearing to the June 14, 2021 meeting. **SECOND:** Gretchen Reinheimer; Unanimously **APPROVED**

7:31pm: Trina Hunn and Nick Underwood, 325 North Broadway, County Map No. 60.18-01-35.

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 Robert Silarski, Architect.

The Applicant reviewed the application for a proposed addition and new deck to the east side. The current balcony and deck are in disrepair. The addition will add a family room on the lower level, create a dining room and add a master suite upstairs. The wood deck will have stairs and will be 3' wider than the addition. There will be no change to the North Broadway side. The colors will match the existing. The trim and casings of the windows will be Azek instead of wood.

The Board reviewed the plan.

Vice Chairman Gretchen Reinheimer inquired about the long skinny window in the back of the house. The applicant noted that they were trying to take advantage of as much of the natural light as possible. The PVC will be painted to match the existing.

Member Silvia Luzi noted that the plan does not show the siding width to match the existing. The drawing shows a wider width. The applicant will update the plan to show the correct siding width.

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

There were no comments from the public.

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

MOTION: The Board moved to recommend approval of the last revised Floor Plans dated 03/16/2021, pages A-100, A-101, A-200, A-201 by S&Co, Architecture for Hunn/Underwood Residence with the plans to be consistent with the finish schedule, specifically regarding the siding width, 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: Gretchen Reinheimer

VOTE: Unanimously APPROVED

7:42pm: Thomas and Susanna Willingham, 125 Highmount Avenue, County Map No. 60.17-03-09.

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 Thomas and Susanna Willingham, Homeowners and Neal Harris, Designer.

The Applicant reviewed the submitted plan for a fence and gate. The new fence will be on the east and north side of the property. There is existing fencing on the south and west sides. It will be a wire black mesh fencing. The size of the mesh openings will be 1.75 inches square. The fencing will be 7.5'H. This fencing is primarily to keep the deer out of the property. Photos of the property and the neighbors view were reviewed. There will be a 6' automatic opening gate on the north side of the property made with a steel frame and wood cladding, painted brown. The gate is set back from the property line and will be connected to the deer fencing. The mesh fence is situated behind the hedges. The east side will be visible to the neighbor.

The Board reviewed the plan.

There were no comments from the public.

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 Silvia Luzi moved to close the public hearing; **SECOND:** Michael Williams; Unanimously APPROVED

The BOARD had no further questions.

MOTION: The Board moved to recommend a conditional approval as shown on the land survey dated July 30, 1992, photos and narrative submitted for the Willingham Residence, based on approval from the Zoning Board of Appeals for a fence of 7.5'H and a gate of 6'H. If the Zoning Board of Appeals denies the variance the Architectural Review Board approval remains for 6'H fencing and a gate.

MOTION BY: Michael Williams

SECOND: Gretchen Reinheimer

VOTE: Unanimously APPROVED

Other Business:

The Village Consulting Attorney discussed that the ARB checklists were approved at the April meeting. Amendments to the ARB enabling law pertaining to paint color and fencing were discussed. The proposed amendments will be the subject of a public hearing before the Board of Trustees.

The meeting was adjourned at 8:08pm by Board Member Eileen McCabe-Sares and Seconded by Board Chairman Michael Williams.

Respectfully submitted,

Jillana Sinnott, Secretary