

**VILLAGE OF UPPER NYACK  
ARCHITECTURAL REVIEW BOARD MEETING  
Monday, December 14, 2020**

***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 Chairman, Michael Williams.

**Other Board members present:** Silvia Luzi, Eileen McCabe-Sares, Thomas Gaffney and Gretchen Reinheimer.

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

**6:00pm:** Chairman, Michael Williams opened the meeting and welcomed Noelle Wolfson, Esq., the Village's Consulting Attorney to the meeting.

The Chairman asked Noelle Wolfson, Esq., the Village's Consulting Attorney to review new Local Law 6 of 2020 with the Board and the Public. The new law modifies the jurisdiction and process of the Village's Architectural Review Board. It is a revision to implementing an authorizing legislation for the ARB. This will not change the procedure of an application that does not need review from Planning Board such as solar or a fence. The Board would issue a resolution and the Building Inspector would issue the permit if all other permit requirements are met. For applications requiring Planning Board approval the processing of applications requiring both Planning Board and Architectural Review Board review has changed due to the adoption of this local law. The application will first go to the Planning Board but before the Planning Board takes final action the Architectural Review Board will make recommendations by a resolution to the Planning Board. The application will then return to the Planning Board for final review. Demolition of buildings will now be reviewed by the ARB for building built before 1970 or over 50 years old. This new Local Law 6-2020 has been filed with the State and the process will start with tonight's meeting.

**Approval of Minutes:** Board Member Silvia Luzi moved to approve the Draft Minutes as amended from September 14, 2020; SECOND: Eileen McCabe-Sares.

**6:09pm: Louis Tharp and James Bumgardner, 515 North Midland Avenue, County Map No. 60.13-03-01-01.**

Said property is located in Residential Zoning District R-3.

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

The Application was represented by Elizabeth Parks, Architect.

The Architect discussed the submitted plans for an addition to and renovation of an existing single family residence. There are two smaller accessory structures on the property closer to Midland. The existing house has a dormer on the South side. The old structures of the house were attached over time. There will be an addition of a second floor over the living room and a new roof over the existing second floor will be added to make the low ceiling higher. All the materials will match the existing finishes. Balconies will be added to be able to open the French doors on the second floor. The awning shown in the drawings is a seasonal element and not a permanent structure.

The Board reviewed the plan.

The Board discussed the replacing of the windows on the second floor with French doors and a balcony. The balcony will be replaced with steel instead of the wooden ones currently there as they are in need of repair.

The dormer is to give air to the existing second floor bedroom once the addition is added. The landscaping will be restored after construction is done.

The Board reviewed the finish schedule.

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

**Marc and Sari Mallow, 519 North Midland Avenue** stated that the design fits nicely with the neighborhood and are excited about the plans.

**MOTION:** Member Gretchen Reinheimer moved to close the public hearing: SECOND: Thomas Gaffney; Unanimously APPROVED

The BOARD had no further questions.

The Board had no further comments.

**MOTION:** The Board moved to recommend approval of the last revised plans dated 11/23/2020, pages A001,A100,A101,A200, A202, A202, A400, A401, by Elizabeth Parks, Architect for Tharp/Bumgardner 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:** Gretchen Reinheimer

**SECOND:** Thomas Gaffney

**VOTE:** Unanimously APPROVED

**6:28pm: The Summit School, 339 North Broadway, County Map No. 60.18-01-01.**

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 Kyle Cauwenberghs of Montana Contracting and Christopher Collins; Architect.

The Contractor discussed the submitted plans for an addition to the cafeteria on an existing secondary school. They will be matching the existing stone veneer, stucco and trim. There are existing skylights on the roof of the existing cafeteria which will be replaced with a minimum of one and possibly a second skylight. A 3D scan of the rear of the building was discussed. They are adding this addition to serve the current population of the school. The windows on the new structure will be aluminum. They will be able to match the composite to the existing building. The gap behind the wall will become interior space. The three new windows will be bigger than the windows on the existing structure. The skylights are being replaced because the existing ones are hazed over and the roof needs repair. The owner has not yet decided if both skylights will be replaced due to the budget.

The Board reviewed the plan.

Board Member Thomas Gaffney noted that the existing cafeteria does not go with the original building and it looks out of place. There is no architectural blending of the old cafeteria and the new building. The doors and windows of the proposed addition are different and it does not fit with the existing. Maybe the new addition can be made to look like the original building. The Applicant explained that existing cafeteria structure has a lot of equipment on the slate roof.

The Chairman said that the Applicant is three quarters of the way there. The skylights need to be resolved on the how many they are replacing. The Applicant stated that it is a budget issue and they did not want to replace any of them but they are in bad condition. They could possibly change the stairs to look like the ones already there. They are changing the windows to take advantage of the view. The Board suggested maybe to make the existing window larger. The Applicant again stated that it was a matter of the budget. The Board suggested spacing of the trim to half of what it is. The Applicant stated this would mean a modification of the existing building. The Board feels the new windows look corporate not porch like.

The Chairman understands that there are budget constraints but he would like the Applicant to review the application and return to the Board.

The Board reviewed the finish schedule. The Applicant noted the stone is not quite the same as the existing original. The color will match but the shape of the stone will be different. They are trying to match the existing stone as best as they can.

**MOTION:** Member Thomas Gaffney moved to continue the public hearing to the January 11, 2020 meeting: SECOND Gretchen Reinheimer; Unanimously APPROVED

The Board requested that they address the concerns for the window symmetry and decide on the number of skylights.

**7:09pm: Kristin Walsh and Allyson Pifko, 201 Radcliff Drive, County Map No. 60.05-02-42.**

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 Scott Stevens from Kasselmann Solar.

The Applicant reviewed the submitted plans for a roof mounted solar. It is an array of 8.05kw consisting of 23 panels. The panels will be anti-reflective, flush mounted, with a frame of metallic silver on a black panel. Optimal sunlight is from the southern side where the panels are located.

The Board reviewed the plan.

The Board asked if the panels could be black on black and the Applicant stated that this would change the price.

The Board would like to see the sections more uniform. The Applicant stated that the NYS setback has codes that they must adhere to and this roof has a lot of obstructions so it makes it hard to place the panels in a different configuration. Member Gaffney suggested taking one of the panels off section R4 and moving it to section R3.

The Applicant noted they are in a time crunch to get this application completed before the end of the year in order to benefit from the tax credits. The inventory would need to be checked to see if the black on black panels are available.

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

There were no comments from the public.

The BOARD had no further questions.

The Board requested that they check to see if the black on black panels are in stock and move one panel from R4 to R3.

**MOTION:** Member Gretchen Reinheimer moved to continue the public hearing to the January 11, 2020 meeting: SECOND Thomas Gaffney; Unanimously APPROVED

**Other Business:**

The Village Consulting Attorney discussed the draft Architectural Review Board application, which, if adopted, each applicant would be required to submit prior to being placed on an ARB agenda. She asked that all the Board Members review the form so that it can be adopted at the next meeting.

The meeting was adjourned at 7:34pm.

Respectfully submitted,

Jillana Sinnott, Secretary