

**VILLAGE OF UPPER NYACK
ARCHITECTURAL REVIEW BOARD MEETING
Monday, March 6, 2023**

MINUTES

A meeting of the Architectural Review Board of the Village of Upper Nyack was held on the above date and called to order at 6:03 p.m. by Chairperson Michael Williams.

Other board members present: Gretchen Reinheimer and Silvia Luzi

Absent: Thomas Gaffney and Eileen McCabe Sares

Also present: Janet Guerra, Board Secretary, and Noelle Wolfson, Esq., Consulting Village Attorney

6:03 p.m: The Chairman asked for a motion to open the meeting.

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (approve)- 0, 3 (absent Gaffney, Sares)

The Chairman reviewed the agenda for the meeting.

6:05 p.m: Review of the minutes of the December 5, 2022, January 9, 2023 and February 6, 2023 meetings.

The Board members did not have any comments on any of the minutes presented for review.

Motion to approve the December 5, 2022 minutes.

MOTION: Michael Williams

SECOND: Gretchen Reinheimer

VOTE: 3 (approve)- 0, 3 (absent Gaffney, Sares)

The Board members noted that there was not a quorum of the Board present who were at the January and February 2023 meetings. There was a discussion about whether members could vote to approve minutes if they were not present at the meeting for which the minutes were prepared. Counsel advised that members could so vote if they were comfortable that the minutes accurately reflected the discussion at the meeting. Since the minutes were circulated to all members by email and no members had any comments or changes, the board members present voted on the January and February minutes.

Motion to approve the minutes of the January 9, 2023 meeting and the February 6, 2023 meeting.

MOTION: Michael Williams

SECOND: Silvia Luzi

VOTE: 3 (approve)- 0, 2 (absent Gaffney, Sares)

6:11 p.m.: Nathalie Fiaschi, 3 Riverton Drive, County Map 60.13-02-81.02. Application for architectural review of solar panels on property improved with a single-family residence located in the OBRO (Office Business Residential Overlay) District

Applicant's Representative: David Kowalsky, Kasselmann Solar and John Latino, resident.

Mr. Kowalsky explained that the plans that were submitted for review did not accurately represent the array that is proposed. He showed a revised plan which included panels on the south facing roof and west facing garage roof but not on the east facing roof as depicted on the submission materials.

The Board reviewed the conceptual plan presented against the photographs of the residence submitted by the applicant to understand how the panels will appear on the roof.

Mr. Kowalsky explained that several homes on Riverton Drive have roof-mounted solar panels including the applicant's next door neighbor (1 Riverton Drive).

There was a discussion about the visibility from neighboring properties and the change in elevation, location of the panels and existing landscaping which will buffer the view of the panels.

Board member Luzi noted that on the preferred conceptual plan presented the panels on the south-facing roof are in both portrait and landscape orientation. She is of the view that this looks disjointed and it is her preference to have all of the panels on a roof arranged in the same orientation.

Mr. Kowalsky explained that the panels are all black and from a visibility perspective the difference in orientation will not be very visible. He explained that the panels could not all be in the same orientation because of the location of roof penetrations in the south facing roof. He also explained the importance of placing the panels on the south facing roof in terms of the level of production (south roof has the best production).

There was an extensive discussion of the configuration of the panels on the roof. The applicant is proposing 41 panels in total. The panels are all black, with black frames.

The configuration of panels that was acceptable to the Board and the applicant included 10 panels on the west side of the garage roof and 28 panels on the south facing roof in the following configuration:



Screenshot provided to Board Secretary by electronic mail during the meeting by Mr. Kowalsky to document the configuration discussed with the Board members.

There was a discussion about the panel model. The panel is a REC SOLAR REC405AA PURE BLACK (405W) MODULES.

Motion to open the public hearing:

MOTION: Silvia Luzi

SECOND: Gretchen Reinheimer

VOTE: 3 (approve)- 0, 2 (absent Gaffney, Sares)

There were no comments from members of the public .

Motion to keep the hearing open and adjourn the hearing to the Board's meeting of April 3, 2023.

MOTION: Michael Williams

SECOND: Gretchen Reinheimer

VOTE: 3 (approve)- 0, 2 (absent Gaffney, Sares)

6:39 p.m. Motion to adjourn the meeting.

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (approve)- 0, 2 (absent Gaffney, Sares)