

**VILLAGE OF UPPER NYACK
ARCHITECTURAL REVIEW BOARD MEETING
Monday, November 7, 2022**

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 6:16 p.m. by Chairperson Michael Williams.

Other board members present: Gretchen Reinheimer and Silvia Luzi

Absent: Eileen Sares and Thomas Gaffney

Also present: Noelle Wolfson, Esq., Consulting Village Attorney

6:16 p.m.: Chairperson Michael Williams opened the meeting and reviewed the agenda.

Motion to open meeting

MOTION: Michael Williams

SECOND: Gretchen Reinheimer

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

Chairman Williams asked for comments or a motion to approve the minutes from the October 3, 2022 meeting.

Motion to approve the October 3, 2022 minutes.

MOTION: Silvia Luzi

SECOND: Gretchen Reinheimer

VOTE: 3 (for the motion) - 0 (against the motion), 2 (absent)

6:17 p.m.: Alistar Paxton and Sara Francini, 402 Cedar Avenue, County Map 60.13-01-43.

Application for architectural review of an attic conversion to living space with egress skylights; and primary bedroom and full bath renovation on property improved with a single-family residence located in the Residence R-7.5 District.

The Applicant was represented by Kier Levesque, Architect. Mr. Levesque showed photographs of the residence. He described the approach to the project and how the applicant arrived at the decision to install skylights as a means of light and egress.

The Village Code Enforcement Official has reviewed the egress skylights and Mr. Levesque represented that he confirmed that they were an acceptable means of egress.

Motion to open the public hearing

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

Motion to close the public hearing

MOTION: Silvia Luzi

SECOND: Gretchen Reinheimer

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

Motion to grant architectural approval of the addition of skylights as a part of the renovation of the premises at 402 Cedar Avenue on the following conditions: Compliance with the following plans: *Paxton/Francini Elevations (A-3)*, prepared by Kier B. Levesque, R.A., dated September 14, 2022; *Paxton/Francini Demolition and Lighting Plan (A-2)*, prepared by Kier B. Levesque, R.A., dated September 14, 2022; and *Paxton/Francini Second Floor Plan (A-1)*, prepared by Kier B. Levesque, R.A., dated September 14, 2022.

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

6:23 p.m. Anthony Campbell, 201 Kuyper Drive, County Map 60.05-02-28.

Application for architectural review of solar panels on property improved with a single-family residence located in the Residence R-10 District.

The Applicant was last before the Board at its October meeting, at which time the Board members asked the Applicant to provide additional information in support of the application.

The Applicant was represented by John Mariam from Integrity Solar Solutions.

Mr. Mariam gave a general presentation showing additional photographs of the residence, including photographs of the rear roof on which the panels will be located.

Mr. Mariam represented that the plans are now to scale, and that as revised the plan was able to retain 32 panels.

The Applicant's revised submission and presentation addressed the matters raised at the October meeting.

Motion to close the public hearing

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

Motion to grant architectural approval for the proposed installation of solar panels to be located on the south (rear) facing roof surface of the property at 201 Kuyper Drive on the following conditions: The installation of the solar panels shall comply with the following plans: Plan set submitted by Integrity Solar Solutions, dated August 24, 2022 except as otherwise noted, consisting of the following plans:

- **Cover Sheet (C-1)**
- **Title Sheet (T-1)**
- **PV Equipment Plan (M-1), dated May 22, 2022**
- **Elevations Plan (M-2)**
- **PV Single Line (E-1) (2 sheets)**
- **Module Data Sheet (D-1)**
- **Inverter Sheet (D-2)**
- **Optimizer Data Sheet (D-3)**
- **Attachment Data Sheet (D-4)**
- **Attachment Data Sheet (D-5)**
- **Railing Data Sheet (D-6)**
- **Warning Placards (L-1)**

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

6:30 p.m. James Shaughnessy, 216 Elm Street, County Map 60.13-01-55. Application for architectural review of solar panels on property improved with a single-family residence located in the Office Business (OB) District

The Applicant was represented by Neal Chervin from Sunrun Solar.

The proposed arrays are on the west (front) and east (rear) roof.

Chairman Williams asked for more detail regarding the depictions on Sheet PV-2.1, and the Board reviewed that plan with the site plan and photos to fully understand the proposed layout of the arrays.

The Board members looked at the photographs of the surrounding homes and a Google map image of the neighborhood to understand the visibility of the panels from surrounding properties.

Chairman Williams asked the Applicant's representative if black-on-black panels could be provided, that is, panels without the metallic outline as shown in the submission materials. The applicant said he did not know if black panels would be available. He advised that supply chain issues affect the availability of materials.

Board member Luzi raised a question about the dual orientation of the panels on the roof and the negative aesthetic impact of having the panels in different orientations, particularly given the silver metallic outline on the panels.

The Applicant's representative indicated that the primary driver of the layout is the production of the panels, and argued that even with the dual orientation of the panels the roof is aesthetically pleasing.

Chairman Williams discussed the aesthetic of the panels, the view from the property to the west and the fact that it is generally at the same height as the panels. The Board members expressed concern about the height of the roof and the reflection of light off the metallic silver part of the panel causing glare on neighboring properties. They also express concern about the aesthetic of the dual orientation panels given that the metallic lines of the panels are very visible. Providing a black-on-black panel is preferable to address both issues.

Motion to Open the Public Hearing

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

The Board deliberated on the application. It was the Board members' view that the proposed panels in the proposed dual orientation had the potential to cause glare and negative aesthetic impacts given the orientation of the house, the low height of the roof and the lack of screening. The Board members asked the Applicant's representative to research further whether black-on-black panels could be obtained to mitigate these impacts.

Motion to adjourn the public hearing on this application to December 5th with a direction to provide additional information on the availability of black-on-black panels.

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 3 (for the motion) -0 (against the motion), 2 (absent)

6:58 p.m. Discussion of 2023 Schedule

Consulting Attorney Wolfson indicated that the schedule is similar to 2022 in that meetings will generally be on the first Monday of the month, with some exceptions in holiday weeks, at 6pm. The Board members present did not have additional comments on the proposed schedule.

7:03 p.m.: Meeting adjourned

Respectfully submitted,

Noelle Wolfson
Board Consulting Attorney