

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

***Minutes***

A meeting of the Architectural Review Board of the Village of Upper Nyack was held on the above date via videoconferencing and called to order at 6:04 pm by Chairman Michael Williams.

**Other board members present:** Vice Chairperson Gretchen Reinheimer, Thomas Gaffney, Silvia Luzi, and Eileen Sares.

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

**6:05 pm:** Chairman Michael Williams opened the meeting and asked for a motion to approve the minutes, as amended, from the October 18, 2021 meeting.

**MOTION: Eileen Sares**

**SECOND: Silvia Luzi**

**VOTE: 4-0, 1 abstention (Gretchen Reinheimer absent from that meeting). APPROVED.**

**6:07 pm:** Vice Chairperson Gretchen Reinheimer, chair of the January 3, 2022 meeting, asked for a motion to approve the minutes from that meeting.

**MOTION: Thomas Gaffney**

**SECOND: Eileen Sares**

**VOTE: 4-0, 1 abstention (Michael Williams, absent from that meeting). APPROVED.**

**6:09 pm: Adelekan Oyejide, 12 Riverton Drive, County Map 6.13-2-08-14.**

Application for solar panels on a single-family residence located in the Office Business (OB) District.

The Applicant was represented by Eddie Gallagher and Jhon Velez (trainee) from Momentum Solar. Village Consulting Attorney Noelle Wolfson, Esq. shared the documents for the Applicant/Representative.

Eddie Gallagher explained that this is a 20-module system, kilowatt count is 6.8 kilowatts, each panel has a wattage of 340. The panels are on the southern side of the property and not really visible from the street. This is a 2-story house. They are black panels and the railing system is black.

Chairman Michael Williams confirmed that the panels will be located on the back of the house and they are not highly visible from the Riverton Drive or Highland Avenue (9W). He continued that the members of the Board had driven by the home to take a look at the orientation based on the submitted pictures. He stated that the orientation to the south gives you somewhat of a view from Highland Avenue if you're looking east. He inquired what the impact would be to the house to the east—10 Riverton Drive.

Eddie Gallagher stated that you would be able to see the panels if you were standing in the backyard; but the trees would provide some cover. More discussion about how much tree cover would be provided.

Chairman Michael Williams asked about the design being black on black and asked the representative if he had pictures. Upon review of the pictures, the Chairman inquired whether the grid lines were silver on the front face of the panel. The representative affirmed there were very small fiber lines of silver on the front face of the panel.

Member Thomas Gaffney mentioned that the word “black” doesn’t appear anywhere in the description in the literature. He asked if there was anything that described the trim as black.

Mr. Gallagher said there is nothing about the trim being black in the materials; but he said he’s seen the product in the warehouse and the trim is always black just like on the picture. Mr. Gallagher confirmed that you will only see the panels on the roof.

Chairman Michael Williams said that the Board’s overall desire is that the panels are black on black. He asked if the representative had something available to put up on the screen that is the actual panel that we could reference. Mr. Gallagher said there was not.

Chairman Michael Williams asked if anyone on the Board had any questions on the location, orientation or design.

Member Thomas Gaffney stated that symmetry was important and asked the representative if the symmetry could be improved. The representative stated that the real issue is the pipes on the roof that present a challenge to get the customer the kind of production he wants. Member Silvia Luzi commented that the symmetry on the southeast setback could be improved by better aligning the panels.

There was conversation about moving the panels to a lower or adjacent roof; but that did not seem like a better solution. Continued conversation about aligning the panels better. The representative said he would speak to the designer.

Chairman Michael Williams asked if there were any other questions or comments from the Board.

Member Thomas Gaffney said that in the memo dated January 28, 2022, it says that the panels and railings are black. He asked for that to be amended. The representative agreed to change it to say “mounting system”.

Chairman Michael Williams stated that the Board is not totally clear on the color and design and whether the system is truly black on black; and the mention of silver gives him some pause. He continued that the comment by Member Silvia Luzi regarding the setback on the southeast corner makes sense.

The representative said he understood about the panels and the setback and re-arranging the panels; but said they do not have a product that does not have silver lines.

Chairman Michael Williams asked if this was Momentum Solar’s first application in the Village of

Upper Nyack and the representative said it was.

Village Consulting Attorney, Noelle Wolfson, Esq. asked if they had done other solar projects in Rockland County close enough that the Board could drive by and take a look; and the representative said they had.

**6:42 pm: Motion to open the public hearing.**

**MOTION: Gretchen Reinheimer**

**SECOND: Silvia Luzi**

**VOTE: 5-0, APPROVED.**

No one from the public was at the meeting.

Chairman Michael Williams stated that based on the questions the Board has; the public meeting should be held open. The Board Members all agreed. The Chairman said he would like to entertain a motion to request Eddie Gallagher from Momentum Solar to provide the Board with the information requested: 1) clarification of the type of panel cosmetics that are available; 2) is the setback on the southeast corner for the four-panel array fixed in stone-- or can it be aligned with the southwest panel array; and 3) correction of the structures support that Member Thomas Gaffney indicated for coloration and how they are oriented.

Eddie Gallagher, the Applicant's representative from Momentum Solar, said he understood and would have revisions done by the end of the week; and would also submit addresses of homes where Momentum has worked so the Board members could drive by and review.

**6:45 pm: Motion to adjourn to the March 7, 2022 meeting.**

**MOTION: Gretchen Reinheimer**

**SECOND: Eileen Sares**

**VOTE: 5-0, APPROVED.**

**6:46 pm: Motion to adjourn the meeting.**

**MOTION: Thomas Gaffney**

**SECOND: Gretchen Reinheimer**

**VOTE: 5-0, APPROVED.**

**6:46 pm: Meeting adjourned.**

Respectfully submitted,

Janet Guerra  
Board Secretary