

**VILLAGE OF UPPER NYACK
ARCHITECTURAL REVIEW BOARD MEETING
Monday, December 4, 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 6:02 p.m. by the Chairman, Michael Williams.

Other board members present: Gretchen Reinheimer, Silvia Luzi and Eileen McCabe Sares

Absent: Thomas Gaffney

Also present: Georgia Grandstaff, Village Clerk, and Noelle Wolfson, Esq., Consulting Village Attorney

Applications on the Agenda:

1. **Nicholas Kelly, 608 Palmer Drive, County Map 60.05-02-35.** Application for architectural review of solar panels on property improved with a single-family residence located in the Residence R-40 District.
2. **Tor Newman, 207 Foss Drive, County Map 60.09-02-41.** Application for architectural review of solar panels on property improved with a single-family residence located in the Residence R-10 District.
3. **Ellen McLoughlin, 412 N. Midland Avenue, County Map 60.13-02-58.** Application for architectural review of solar panels on property improved with a single-family residence located in the Residence R-7.5 District. *Adjourned*
4. **Allison and John Rohlwing, 23 West End Road, County Map 60.17-03-04.** Application for architectural review of replacement of front porch on property improved with a single-family residence located in the Residence R-10 District.

Motion to open the meeting.

MOTION: Gretchen Reinheimer

SECOND: Michael Williams

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

6:03 p.m.: Review of the minutes of the September 6, 2023 and October 2, 2023 meetings.

There were no comments on the September or October meeting minutes.

Motion to Approve the minutes of the September 6, 2023 meeting.

MOTION: Gretchen Reinheimer

SECOND: Michael Williams

VOTE: 3 (yes- Williams, Reinheimer, McCabe Sares) – 0 (no), 1 abstain (Luzi), 1 absent (Gaffney)

Motion to Approve the minutes of the October 2, 2023 meeting.

MOTION: Eileen McCabe Sares

SECOND: Silvia Luzi

VOTE: 3 (yes- Reinheimer, McCabe Sares, Luzi) – 0 (no), 1 abstain (Williams), 1 absent (Gaffney)

6:05 p.m.: Nicholas Kelly, 608 Palmer Drive, County Map 60.05-02-35. Application for architectural review of solar panels on property improved with a single-family residence located in the Residence R-40 District.

Applicant's Representative: Sunrise Solar, Clifford Cudal.

The applicant is proposing a 22-panel array on the south face of the main building roof. The proposed panels are Sunpower 425 Watt BoB (black on black) Residential AC Modules, black on black panels to provide a total of 9.32 kW of electricity.

Snow guards are proposed along the bottom of the array.

The Chairman explained the purview of the Architectural Review Board and asked Mr. Cudal to explain the aesthetic of the array and whether and to what extent it will be visible from the neighboring properties and public street.

Mr. Cudal showed photographs of the property and the neighboring properties. He explained that if you are looking from the front, you cannot see the array because it is on the left (south) side roof. He also explained that the array layout was symmetrical and aligned with the shape of the roof.

There was a discussion about the view of the proposed array from the neighboring properties and the street. The Board reviewed the additional photo exhibits.

The Chairman asked about the difference in elevation between the house on which the panels would be located and the neighbor. There was a discussion about the topography of the area and the vegetation on the Property.

Mr. Cudal submitted the specification sheet for the proposed panels.

Motion to Open the Public Hearing.

MOTION: Gretchen Reinheimer

SECOND: Michael Williams

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

There were no comments from the members of the public.

Motion to Close the Public Hearing.

MOTION: Silvia Luzi

SECOND: Gretchen Reinheimer

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

Motion to grant architectural approval for the proposed installation of roof-mounted solar panels (22 in total) on property located at 608 Palmer Drive subject to the following conditions:

- 1. The installation of the solar panels shall comply with the following plans and specifications: Plan set prepared by Sunrise Solar Solutions, dated 4/26/2023 and submitted for and reviewed at the 12/4/2023 meeting consisting of the following plans:**
 - a. Site Plan (S1)**
 - b. Roof Plan (S2.1)**
 - c. Elevation (S2.2)**
 - d. Racking Layout (S3)**
 - e. Attachment Detail (S4)**
 - f. Roof Access Plan (S5)**
 - g. Adjacent/Across Properties (S6) (photos)**
 - h. Line Diagram (E1)**
- 2. The panels to be installed shall be Sunpower 425 Watt BoB (black on black) Residential AC Modules. Any change to the panel type shall require amended approval from the Architectural Review Board.**
- 3. Any changes or modifications to the layout of the panels as depicted on the approved plans requires amended approval from the Architectural Review Board.**
- 4. Installation of the roof mounted solar panels and their associated equipment may not begin until a building permit for the same has been issued by the Village of Upper Nyack Building Department.**

MOTION: Silvia Luzi

SECOND: Gretchen Reinheimer

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

6:22p.m.: Tor Newman, 207 Foss Drive, County Map 60.09-02-41. Application for architectural review of solar panels on property improved with a single-family residence located in the Residence R-10 District.

Applicant Representative: Power Solutions, Mark Gearing

Mr. Gearing explained that the applicants were proposing a 7,665 watt system. The proposed panels are model number Q.PEAK DUO BLK ML-G10+365. The panels are all black with black frames.

Mr. Gearing explained that arrays would be placed on three roof planes with a total of 21 panels.

There will be an array of 14 panels on the main east roof; an array of 2 panels on the rear east roof, and an array of 5 panels on the south roof. He explained that this is a difficult roof for a solar installation because of the size and shape of the roof planes and the roof penetrations, which is why panels are proposed on three separate roof planes.

Board Member Reinheimer asked if all of the panels were equal sized rectangles and Mr. Gearing confirmed that they were.

Mr. Gearing presented photographs of the property and the view of the property from surrounding properties and the street and explained the topography of the property.

There was a discussion about whether the panels on the main roof could be arranged to be more symmetrical and to eliminate some of the gaps in the array. Mr. Gearing presented Sheet S-1 (the scale drawing of the layout) and explained that because of the size and shape of the roof and the requirements for access ways for firefighting purposes the panels could not be realigned in a way that would provide a more symmetrical layout or eliminate some of the gaps. He explained that the system was already undersized and would not provide the full amount of electricity for the residence at its peak usage, so it was important to keep all of the proposed panels.

Motion to open the public hearing.

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

Michael Grownney, 205 Foss Drive. Mr. Grownney's property is immediately to the east of the subject property. He explained that because of the topography and the slope of the roof the entire east face of the roof is visible from his property. He is not opposed to the application, but he wanted to understand the layout better and make sure that it is as symmetrical as possible. Mr. Grownney, Mr. Gearing and the Board discussed the layout and why the proposed layout was the best available alternative.

Motion to close the public hearing.

MOTION: Silvia Luzi

SECOND: Eileen McCabe Sares

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

Motion to grant architectural approval for the proposed installation of roof-mounted solar panels (21 in total) on property located at 207 Foss Drive subject to the following conditions:

- 1. The installation of the solar panels shall comply with the following plans and specifications: Plan set prepared by Power Solutions, dated 7/26/2023 and submitted for and reviewed at the 12/4/2023 meeting consisting of the following plans:**

- a. Rendering Front of House (R-1)**

- b. **Rendering Overhead (R-2)**
 - c. **Rendering Front Birds-Eye (R-3)**
 - d. **Rendering Rear Birds-Eye (R-4)**
 - e. **Elevation Front of House (A-1)**
 - f. **Elevation West Side of House (A-2)**
 - g. **Elevation Back of House (A-3)**
 - h. **Elevation East Side of House (A-4)**
 - i. **Site Plan (Not to Scale) (S-1)**
 - j. **Details (S-2)**
 - k. **Electrical Plan (E-1)**
 - l. **Mounting Plan (L-1)**
2. **The panels to be installed shall be Q.PEAK DUO BLK ML-G10+365 black panel with black frame. Any change to the panel type shall require amended approval from the Architectural Review Board.**
 3. **Any changes or modifications to the layout of the panels as depicted on the approved plans requires amended approval from the Architectural Review Board.**
 4. **Installation of the roof mounted solar panels and their associated equipment may not begin until a building permit for the same has been issued by the Village of Upper Nyack Building Department.**

MOTION: Gretchen Reinheimer

SECOND: Silvia Luzi

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

6:41 p.m.: Allison and John Rohlwing, 23 West End Avenue, County Map 60.17-03-04.

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

Applicant Representative: Kier B. Levesque, R.A.

Mr. Levesque explained that this application has been subject to Planning Board review and received a referral from that Board to the Architectural Review Board. The applicant will also require variances from the Zoning Board of Appeals (front yard setback and FAR).

Mr. Levesque explained with reference to a photograph of the existing house, that the applicant was proposing to remove the existing front porch and replace it with a covered front porch that would span the entire front facade of the house so that one can walk from the driveway to the front door under cover. Because there is a bay window in the front of the house, the porch must be wide enough to provide adequate walking area around this projection.

Mr. Levesque explained that the roof would be black metal and provided a sample of the roof material. He explained that the siding would be the same as the existing. The proposed porch would have a concrete pier foundation, the posts would be a natural cedar in its natural color, and the railing system would be a white synthetic top and bottom rail with black metal balusters. Lattice would be added at

the bottom of the porch where it is the highest off grade. The existing plantings on the property will be relocated to buffer the view of the proposed porch.

Mr. Levesque explained that this neighborhood is an array of different style homes, all within the Village of Nyack. He noted that the original architecture for this home was approved by the ARB in 2015.

Board Member Sares said she thought it looked nice and thought it would make the house appear wider.

Board Member Reinheimer asked if the balusters were needed for building code compliance. Mr. Levesque explained that they were needed for code compliance in certain areas, but that they generally make the porch more attractive.

Motion to open the public hearing.

MOTION: Eileen McCabe Sares

SECOND: Silvia Luzi

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

There were no comments from members of the public.

Motion to close the public hearing.

MOTION: Silvia Luzi

SECOND: Michael Williams

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

Motion to recommend approval of the architecture to the Planning Board on the application of Allison and John Rohlwing, 23 West End Avenue for the demolition of the existing front porch and the addition of a new covered front porch on an existing single-family residence on the following conditions:

- 1. The applicant shall comply with the plans presented to and reviewed by the ARB at its 12/4/2023 meeting as follows: Rohlwing Porch, 23 Westend Avenue, prepared by Kier B. Levesque, R.A.:**
 - a. Cover Sheet, dated 7/31/23, last revised 10/9/23**
 - b. Porch Plans & Specifications (A-1), dated 7/31/23**
 - c. Elevations (A-2), dated 7/31/23**
 - d. Details & Section (A-3), dated 7/31/2023**
- 2. The finishes on the building shall comply with the finish schedule dated 7/31/23 and submitted to the ARB at its 12/4/23 meeting.**

MOTION: Gretchen Reinheimer

SECOND: Eileen McCabe Sares

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)

6:52 p.m. Motion to adjourn the meeting.

MOTION: Eileen McCabe Sares

SECOND: Gretchen Reinheimer

VOTE: 4 (yes- Williams, Reinheimer, Luzi, McCabe Sares) – 0 (no), 1 absent (Gaffney)