

**VILLAGE OF UPPER NYACK
ARCHITECTURAL REVIEW BOARD MEETING
Monday, May 2, 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 6:10 pm by Chairman Michael Williams.

Other board members present: Gretchen Reinheimer, Thomas Gaffney and Eileen Sares.

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

6:12 pm: Chairman Michael Williams opened the meeting and asked for a motion to approve the minutes from the April 4, 2022 meeting.

MOTION: Gretchen Reinheimer

SECOND: Eileen Sares

VOTE: 3-0, 1 absent, 1 abstention. APPROVED.

6:13 pm: 113 Castle Heights Avenue, County Map No. 60.17-02-69.

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

The Applicant was represented by Josh Myers from Sunrun Solar.

Mr. Myers shared his screen and presented the CAD layouts and explained that the south side is where there is most sun and will be most efficient.

Chairman Michael Williams asked why there are three panels in the second position.

Mr. Myers explained that there is an obstruction.

Chairman Michael Williams asked if there is a rule for setbacks and whether it's the Village or State rules.

Mr. Myers believes it's the Village rule. He explained that the designers use Bright Path and they are restricted based on obstructions, shade modeling and set back rules.

Member Thomas Gaffney said that there is a missing panel and graphically it looks like you can fit another panel.

Mr. Myers said that the drawings had been vetted through several designers and the goal is to have the greatest number of panels. He shared the production arc.

Discussion of cost analysis.

Chairman Michael Williams said that looking at the symmetry, not the cost/benefit analysis, just making sure that there is no obstruction on the roof and there's no impact, visually.

Mr. Myers said that it's only in the rear and he can get an answer as to why the single panel isn't there.

Vice Chair Gretchen Reinheimer said that there did seem to be a protrusion and that the illustration looks like there is room for another panel.

Mr. Myers said that they would have added that extra panel if they could have. He explained that perhaps it's a wider obstruction than is pictured on the CAD picture.

Chairman Michael Williams asked if the panels were black on black.

Member Eileen Sares asked if the trim was silver or black.

Mr. Myers said that the trim is white paper with black cells and shared his screen to show his house.

Chairman Michael Williams asked if the "critter bar" was silver.

Mr. Myers said it's shiny black.

Chairman Michael Williams asked about the angles of view facing south. He asked what we see from a satellite view.

Mr. Myers shared his screen to show the view.

Chairman Michael Williams said there is a significant tree barrier to the south. Asked to see a winter view, which Mr. Myers provided.

Member Thomas Gaffney said that in the company letter, it states that the panels are JAM60S10; but on the drawing it says JAM60S17. He asked why they are different.

Mr. Myers said that they are different generations and S17s are more black on black.

Member Thomas Gaffney asked if the S17's could be installed.

Mr. Myers said he could make that request; but due to significant supply chain issues, the generation of the panels used could change.

Chairman Michael Williams said that the issue is what has been submitted and what will be installed. He explained that his opinion is that the Board prefers S17 because it's more black on black.

Member Eileen Sares asked whether S17s cost the applicant more money; and Mr. Myers said it does not.

Member Thomas Gaffney referred to page PV 3.0 and said there is no detail given.

Mr. Myers said that is probably rafter penetration where the spacers are. He explained that SNR means Snap N Rack. He showed a video of installation and the mounting method. He explained that they do as few penetrations as possible.

Discussion of Tesla Power Wall batteries and their capabilities by Mr. Myers. He explained the benefits the applicant would receive.

Chairman Michael Williams asked for a motion to open the public hearing.

Motion to open the public hearing.

MOTION: Thomas Gaffney

SECOND: Gretchen Reinheimer

VOTE: 4-0, 1 absent. APPROVED.

No members from the public present.

Motion to close the public hearing.

MOTION: Thomas Gaffney

SECOND: Gretchen Reinheimer

VOTE: 4-0, 1 absent. APPROVED.

Chairman Michael Williams noted that there was a good discussion on the proposal on all the cosmetic and engineering elements; and a couple of questions on clarifying the number of panels and whether the panels were S10s or S17s. The Chairman stated that he felt the Board could put the application to a vote and accept the proposal as presented.

Vice Chair Gretchen Reinheimer made the motion to grant architectural approval for the proposed installation of solar panels to be located on the south facing roof surface of the property at 113 Castle Heights Avenue on the following conditions:

1. The applicant shall comply with the plans presented to and reviewed by the Board as follows:
 - a. Cover Sheet (page PV-1.0), prepared by Sunrun, dated 9/23/2021
 - b. Site Plan (page PV-2.0), prepared by Sunrun, dated 9/23/2021
 - c. Basement Floor Plan (page PV-2.1), prepared by Sunrun, dated 9/23/2021
 - d. Layout (page PV-3.0), prepared by Sunrun, dated 9/23/2021
 - e. Electrical (page PV-4.0), prepared by Sunrun, dated 9/23/2021

- f. Signage (page PV-5.0), prepared by Sunrun, dated 9/23/2021
2. The applicant shall install model JAM60S17 modules, unless it is not reasonably practical for the applicant to obtain the same. In that circumstance, the applicant shall install model JAM60S10 modules.

MOTION: Gretchen Reinheimer
SECOND: Michael Williams
VOTE: 4-0, 1 absent. APPROVED.

Noelle Wolfson, Esq., Consulting Village Attorney explained that the Executive Order of the NYS Legislature allowing the board to meet via zoom extends to the June 6th meeting. She explained that the July 11th meeting would be in person unless we have further guidance from the Governor.

Motion to adjourn the meeting.

MOTION: Gretchen Reinheimer
SECOND: Eileen Sares
VOTE: 4-0, 1 absent. APPROVED.

6:59 pm: Meeting adjourned.

Respectfully submitted,

Janet Guerra
Board Secretary