

# Roberto Alpert

419 Maple Avenue Upper Nyack NY 10960

845-548-9417 (cell) | 845-480-5633 (home)

robenator99@yahoo.com

**To:** Upper Nyack Planning Board

**Date:** March 27, 2023

## **Narrative Summary - "Pool Spa"**

I, Roberto Alpert, of 419 Maple Avenue Upper Nyack, NY 10960 (Tax lot Designation - Section 60.13 Block 2 Lot 1), would like to install a 21' x 8' Pool / Spa in the backyard of our property.

The Pool/Spa is purchased from the company, **Aqua Living Factory Outlets**, located at 776 Jernee Mill Road Sayreville, NJ 08872. Aqua Living Factory Outlets then sources the Pool/Spa from **Catalina Spas** and then coordinates the request for the production and delivery of the requested model.

Per **Aqua Living Factory Outlets**, I, as the purchaser, need to secure:

- the proper community zoning approval
- a crane company to lift the pool/spa into place (in coordination with Aqua Living)
- appropriate landscaping/masonry to comply with the installation requirements of the pool/spa
- A licensed electrician to install a 220v outlet with 50 amp service.

The model of the pool/spa we intend to have installed is the "*Catalina 21' Swim Pool C841*."

The *Catalina 21' Swim Pool C841* has a capacity of 3450 Gallons and has 2 River Jets powered by 2 pumps. Standard features of this product include:

- Touchscreen Topside Controls
- Clear View H500 Ozonator
- Underwater Light
- (12) Lit Crystal Water Spots
- (3) 18" Lit Crystal Waterfalls
- (8) Side Lights
- Step Lights
- Lit Controls
- Bluetooth Audio Package
- Row Kit & Tension Bands
- (2) Stainless Exercise Rails
- Swim Pro Pole & Harness
- Insulated Cover
- Ceramic Swim Lane Time
- Ceramic Water Line Tile
- Cerap Step Tile
- 200 s/f filter

We have already secured a licensed electrician who has installed the required electrical source at the intended location of the *Catalina 21' Swim Pool C841*.

As stated in the installation manual for the *Catalina 21' Swim Pool C841*, "it must be placed on a smooth, LEVEL, self-draining surface..." and "concrete is preferred, so that rain water and water spillover may run-off and not puddle underneath the spa causing the wood to rot away over a period of time." Therefore, we will have a 6-inch poured concrete pad that will be self draining installed in the intended location of the *Catalina 21' Swim Pool C841*, upon approval of this project.

The areas immediately surrounding the *Catalina 21' Swim Pool C841* will remain grass lawn and there will be approximately 3 feet between the existing rear deck behind the house and the proposed area off this Pool / Spa. There is also a 90" (7.5 Foot) vinyl fence that surrounds and encloses the backyard of the property. In addition, one existing fruit tree that is in the 3 foot space will need to be removed during this project.

Thank you for your consideration.

Roberto Alpert  
419 Maple Avenue Upper Nyack, NY 10960

# 21' Pool



## **Capacity:**

3450 Gallons

## **Approximate Weight:**

3800 Dry    32,750 Filled

## **Hydrotherapy:**

20 Stainless Jets  
Therapy Seating

### **C841 Portable**

90" x 250" x 62"

2 River Jets    2 Pumps  
220V / 50 amp

### **C842 Portable**

90" x 250" x 62"

2 River Jets    3 Pumps  
220V / 50 amp

### **C843 Portable**

90" x 250" x 62"

3 River Jets    4 Pumps  
220V / 60 amp

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### **C845 Inground**

90" x 250" x 62"

2 River Jets    2 Pumps  
220V / 50 amp

### **C846 Inground**

90" x 250" x 62"

2 River Jets    3 Pumps  
220V / 50 amp

### **C847 Inground**

90" x 250" x 62"

3 River Jets    4 Pumps  
220V / 60 amp

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## **Standard Features:**

Touchscreen Topside Controls  
Clear View H-500 Ozonator  
Underwater Light  
(12) Lit Crystal Water Spouts  
(3) 18" Lit Crystal Waterfalls  
(8) Side lights  
Step Lights  
Lit Controls  
Bluetooth Audio Package  
Row Kit & Tension Bands  
(2) Stainless Exercise Rails  
Swim Pro Pole & Harness  
Insulated Cover  
Ceramic Swim Lane Tile  
Ceramic Water Line Tile  
Ceramic Step Tile  
200 s/f Filter





**VILLAGE OF UPPER NYACK  
ARCHITECTURAL REVIEW BOARD**

boardsecretary@uppernyack-ny.us | 845-358-0084

**APPLICATION PACKET**

**USE THIS APPLICATION FOR ALL APPLICATIONS  
TO THE ARCHITECTURAL REVIEW BOARD OTHER  
THAN WIRELESS TELECOMMUNICATION PERMIT  
APPLICATIONS AND ROOF-MOUNTED SOLAR  
APPLICATIONS**

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**SUBMITTAL REQUIREMENTS**

SEE SUBMISSION CHECKLIST IN THIS PACKET FOR SUBMISSION REQUIREMENTS

ALL PLANS MUST BE COLLATED, STAPLED & FOLDED WITH THE TITLE BLOCK  
SHOWING. PLANS THAT DO NOT MEET THESE REQUIREMENTS WILL BE  
REJECTED.

**SUBMISSION CHECKLIST**

**ARCHITECTURAL REVIEW BOARD**

**ALL PLANS MUST BE COLLATED, STAPLED & FOLDED WITH THE TITLE BLOCK SHOWING PLANS THAT ARE NOT COLLATED, STAPLED & FOLDED WILL BE REJECTED**

INCLUDED	WAIVER REQUESTED	DESCRIPTION	# OF COPIES
		A completed Submission Checklist (this form)	1
		A completed General Municipal Law Section 809 Disclosure Form	1
		Application Fee- See Upper Nyack Fee Schedule Notice Sign Fee- See Upper Nyack Fee Schedule	1
		A completed Village of Upper Nyack Contact Form	1
		* A completed Village of Upper Nyack Architectural Review Board Application Form	8
		* A descriptive project narrative in the form of a cover letter or separate narrative. The narrative must include, at a minimum, basic information about the property, including, but not limited to, where it is located, the existing improvements on the property, the proposed improvements, and the status of other required land use approvals.	8
		* Site plan meeting the requirements of Zoning Law §10.5 if a building addition is proposed.	8
		*An existing conditions plan or current survey showing all improvements on the Property prepared by a licensed land surveyor.	8
		*Elevations of all sides of all proposed buildings or buildings proposed to be altered.  For Sign applications, a detailed sign plan showing the size, height, materials, colors, and lighting of the proposed sign and the way it will be affixed to a building or structure.	8
		*Color photographs of the subject property and all buildings and structures located thereon. These photographs should include at least one photograph of each side (north, east, south and west) of the buildings or structures on the property.	8
		*Color photographs of buildings and structures located on adjacent properties and properties directly across the street. These photographs should be taken from the applicant's property or from the public street; applicants may <b>not</b> enter upon private property without the owner's permission in order to take such photographs.	8
		*A completed Architectural Review Board Finish Schedule  Note: When available, the applicant shall bring sample materials and color swatches to the ARB meeting.	8

**A PDF COPY OF ALL APPLICATION MATERIALS MARKED WITH AN \* ABOVE COMBINED AS ONE PDF MUST BE SUBMITTED BY ELECTRONIC MAIL TO [boardsecretary@uppernyack-ny.us](mailto:boardsecretary@uppernyack-ny.us). THE PDF FILE NAMES SHOULD REFERENCE THE ANTICIPATED MEETING DATE, PROPERTY ADDRESS AND BOARD (i.e. 20220420-123 N. BroadwayARB.pdf).**

VILLAGE OF UPPER NYACK  
LAND USE BOARD CONTACT FORM

Project Name: Pool Spa  
Project Street Address: 419 maple avenue upper nyack ny 10960  
Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Zoning District: \_\_\_\_\_

Applicant: Roberto Alpert  
Address: 419 maple avenue upper nyack ny 10960  
Phone #: 845-548-9417 Email: Robenator99@yahoo.com

Owner: Roberto Alpert  
Address: 419 maple avenue upper nyack ny 10960  
Phone #: 845-548-9417 Email: Robenator99@yahoo.com

Design Professional: Robert E. Sorace, PLS  
Address: 135 South main street New city ny 10960  
Phone #: 845-638-1498 Email: \_\_\_\_\_

Design Professional: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Design Professional: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Attorney: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Other Representative (specify) \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

VILLAGE OF UPPER NYACK  
ARCHITECTURAL REVIEW BOARD APPLICATION FORM

Project Name: Pool Spa  
Applicant Name: Roberto Alpert  
Project Street Address: 419 maple avenue upper nyack ny 10960  
Section: 60.13 Block: 2 Lot(s): 1 Zoning District: R-7.5

Application is for (check all that apply):

- New building/structure or addition or alteration
- Modification to windows/doors or other façade elements other than additions or alterations
- Demolition of building/structure built before January 1, 1970
- Sign Permit
- Other (describe) \_\_\_\_\_

Description of Proposed Project:

8x21' Pool Spa

Are approvals from the Village of Upper Nyack Planning Board or Zoning Board of Appeals required as a part of this project?  Yes  No

If yes, describe:

\_\_\_\_\_

Have any Planning Board, Architectural Review Board or Zoning Board of Appeals Approvals been granted or denied for the Property in the past 10 years?  Yes  No

If yes, list all prior approvals and denials?

\_\_\_\_\_



**COMPLETE FOR APPLICATIONS FOR THE SUBSTANTIAL DEMOLITION OF A  
BUILDING THAT WAS CONSTRUCTED BEFORE JANUARY 1, 1970**

1. The year the building was built: \_\_\_\_\_
2. Have there been any significant renovations to the building, if so explain when they occurred and the scope of the renovation.

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3. The name of the architect, engineer, builder or other design professional who designed or implemented the construction of the building, if available.

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4. Is the property, structure or building identified in the most recent Village Comprehensive Plan as being historically or architecturally significant?

Yes     No

5. Is the building being substantially demolished located wholly or partially within, or substantially contiguous to, any historic building, structure, facility, or site that is listed on the National Register of Historic Places or the State Register of Historic Places or that has been determined by the Commissioner of the New York State Office of Parks Recreation and Historic Preservation to be eligible for listing on the State Register

Yes     No

If yes, provide the name of the historic building, structure, facility, or site:

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6. Provide additional information sufficient to allow the ARB to evaluate whether the building is historically or architecturally significant according to the criteria for such evaluation set forth in Village of Upper Nyack Local Law 7 of 2021, Section 3.6.2.



**NON-OWNER APPLICANT SIGNATURE PAGE**

**NON-OWNER APPLICANT'S CERTIFICATION**

I, \_\_\_\_\_, hereby certify that I am the applicant herein and that I make this application with the knowledge, authorization and consent of the owner of the premises. I hereby certify that the statements of facts contained in this application, including, but not limited to the contact form, application form, EAF, project narrative and all plans and other supporting documents are true to the best of my knowledge and belief.

Applicant Signature: \_\_\_\_\_  
Applicant Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

**CERTIFICATION OF OWNERSHIP/OWNER'S CONSENT**

I, \_\_\_\_\_, hereby certify that I am the (\* \_\_\_\_\_) owner in the fee simple of premises located at: \_\_\_\_\_

\_\_\_\_\_ described in a certain deed of said premises recorded in the Rockland County Clerk's Office in Instrument No. \_\_\_\_\_.

Said premises have been in my/its possession since \_\_\_\_\_.

Said premises are also known and designated on the Town of Clarkstown Tax Map as: section: \_\_\_\_\_ block: \_\_\_\_\_ lot(s): \_\_\_\_\_.

I hereby authorize \_\_\_\_\_ to make this application and I understand that any decision on this application is binding on the Property.

I hereby give permission to members of the Planning Board, Zoning Board of Appeals, Architectural Review Board and/or supporting staff and consultants to enter upon the property that is the subject of this application at a reasonable time during the day upon reasonable notice.

Owner Signature: \_\_\_\_\_  
Owner Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

VILLAGE OF UPPER NYACK

GENERAL MUNICIPAL LAW 809 STATEMENT

APPLICATION NAME: Roberto Alpert

APPEARING BEFORE (CIRCLE ALL THAT APPLY):

- PLANNING BOARD
- ARCHITECTURAL REVIEW BOARD
- ZONING BOARD OF APPEALS
- BOARD OF TRUSTEES

STATE OF NEW YORK ) ss:

COUNTY OF Rockland )

Roberto Alpert, being duly sworn, deposes and says:  
(deponent name)

1. Your deponent is over 18 years of age and (resides at) or (maintains an office at) [circle one]:

419 maple avenue upper nyack ny 10960

2. Deponent is the (a) applicant, (b) one of the applicants, (c) officer of applicant

Home owner (state office held), (d) partner or principal in applicant.  
[circle applicable status].

3. To deponent's knowledge, the following state, county, Town of Clarkstown or Village of Upper Nyack officers or employees have an interest in the applicant as defined in General Municipal Law § 809 (for each person identified state his or her name, residence address and the nature and extent of his or her interest in the applicant; if none, so state):

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Roberto Alpert (Signed)

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Notary Public

NEW YORK GENERAL MUNICIPAL LAW

§ 809. DISCLOSURE IN CERTAIN APPLICATIONS

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. . For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
  - (a) is the applicant, or
  - (b) is an officer, director, partner or employee of the applicant, or
  - (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
  - (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. [SECTION OMITTED (applies only in Nassau County)]
4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

**VILLAGE OF UPPER NYACK  
ARCHITECTURAL REVIEW BOARD  
EXTERIOR FINISH SCHEDULE<sup>1</sup>**

PROJECT NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

Element	Materials	Finish	Manufacturer (Mfg)	Mfg Style Name/#	Mfg Color Name/#
Foundation					
Front Porch					
Railings					
Siding					
Window Shutters					
Windows					
Doors					
Trim					
Decking					
Garage Doors					
Fascia					
Gutters					
Louvers					
Roofing					
Chimney					
Stack Vents					
Retaining Walls					

<sup>1</sup> FENCE AND SIGN PERMIT APPLICATIONS DO NOT REQUIRE A FINISH SCHEDULE, BUT INFORMATION ABOUT ALL MATERIALS, COLORS, AND, FOR SIGNS, MANNER OF ILLUMINATION, IF ANY, SHOULD BE PROVIDED IN THE FORM OF MANUFACTURER SPECIFICATIONS OR EQUIVALENT DOCUMENTS.

ATTACH A SEPARATE SCHEDULE IF MORE SPACE IS NEEDED FOR ANY ITEM.

**PUBLIC HEARING AND LEGAL NOTICE (ZONING LAW §11.5)**

The Planning Board, ARB and ZBA are required to hold a public hearing on most of the applications they receive. The Village will cause notice of the hearing to be published in The Journal News at least 5 days before the date of the hearing.

The Applicant is required to provide notice of the public hearing as follows:

**NEIGHBOR MAILING:** The Applicant must mail the hearing notice to all owners of property located within 200 feet of the property that is the subject of the application (including properties within 200 feet of the subject property and located outside of the Village, if applicable). The Secretary to the Land Use Boards will provide the notice and the list of adjoining property owners to the Applicant. The notice must be sent by U.S. First Class Mail with a Certificate of Mailing **at least 5 days before the public hearing**. At least 2 business days before the public hearing, the Applicant must file proof of mailing of such notice with the the Secretary to the Land Use Boards, which shall consist of: (i) a completed United States Postal Service Certificate of Mailing; (ii) an affidavit of mailing stating the date the notice was mailed and the names and addresses of the persons served with the notice; and (iii) all envelopes that were returned to the Applicant as undeliverable prior to the hearing. **Unless otherwise directed, the notice mailing need only be completed prior to the first session of the public hearing before the board; no additional notice mailing is required if the hearing is adjourned to a subsequent meeting.**

**NOTICE SIGNS:** The Applicant must post two notice signs provided by the Secretary to the Land Use Boards on the lot which is the subject of the application **at least 5 days before the public hearing** and must maintain the posted sign(s) in place until the applicable Board has rendered its final decision on the application. The sign(s) must be posted not more than 10 feet from each boundary of the lot that abuts a public street and must be visible to the public. The bottom edge of each sign so erected must be approximately 14 inches (but not more than 36 inches) above the ground. If the subject property abuts more than one road, additional signs shall be posted facing each public street on which the property abuts. If the property does not abut a public street, the Zoning Inspector will advise as to where the notice signs should be posted.