

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**

APPLICATION PACKET CONTENTS

1. Submission Checklist.....	2
2. Land Use Board Contact Form	3
3. ARB Application Form.....	4
4. GML 809 Statement	8
5. ARB Finish Schedule.....	10
6. Public Hearing Notice Requirements	11

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 <u>not</u> 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. 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: _____

Project Street Address: _____

Section: _____ Block: _____ Lot(s): _____ Zoning District: _____

Applicant: _____

Address: _____

Phone #: _____ Email: _____

Owner: _____

Address: _____

Phone #: _____ Email: _____

Design Professional: _____

Address: _____

Phone #: _____ 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: _____

Applicant Name: _____

Project Street Address: _____

Section: _____ Block: _____ Lot(s): _____ Zoning District: _____

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:

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.

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

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:

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.

OWNER-APPLICANT'S CERTIFICATION

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 Village of Upper Nyack Tax Map as:
Section: _____ Block: _____ Lot(s): _____.

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.

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

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: _____

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 _____)

_____, 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]:

_____.

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

_____(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 SCHEDULE¹**

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					

¹ 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.