

Members Present:

T. Robins Brown, *Acting Chairperson*
Mary Mathews
Toma Holley
Lisa Buckley, *Alternate Voting Member*

Also Present:

Donald Yacopino, *Building Inspector*

Absent:

Eileen Kuster-Collins, *Chairperson*
Maggie McManus

Minutes: The minutes of the June ARB meeting were not available.

Board Reviews and Resolutions:

1. 120 Main Street. Section 66.38, Block 4, Lot 10. Applicant: Matthew Ardemir for Cloud 9. Continuation of application for ground floor window sign.

In continuation of the public meeting of February 19, 2014, Ardemir stated that the signage on the ground floor windows was redesigned to conform to Village of Nyack (VON) zoning code area requirements. The design as shown in the JMS drawing received by the Village Feb. 3, 2014 has modification indicated. The "self-serve frozen yogurt" on the upper east side (right on illustration) is omitted and the graphics text on lower section on both left and right windows formerly 24" in height will be reduced to no more than twelve inches in height. These lower graphics will have a slightly different layout than presented in the submitted illustration, but the same colors and same general design.

Board review was based on:

1. Presentation by and discussion with Ardemir,
2. Review and recommendations made at the February 19, 2014 ARB meeting,
3. Design drawing stamped received Feb. 3, 2014 with later revisions added and other information in the application as revised
4. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda, July 16, 2014," and
5. Visual inspection of the exterior of the building and its neighborhood by ARB members.

The Board members found that the revisions responded to ARB members' comments at the Feb. 19, 2014 ARB meeting that the window signage was too large, exceeding the VON zoning code area allowance, and needed to be revised to conform. The revised, code-compliant signage is more in proportion with the other architectural features of the storefront and more visually effective.

No public comment. Motion by Holley, seconded by Buckley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Mathews, seconded by Buckley, by a vote of 4-0, approved the application as revised:

- (1) The words in the upper right window are omitted.
- (2) The graphics on the lower portion of the window reduced to twelve inches (12") in height. A slightly different design than presented is allowed, but the signage must be similar in style and colors as in the application.

2. 71 Third Avenue. Section 66.3, Block 2, Lot 34. Applicant: Daniel Koplowitz for Fritz Krakowski. Site Plan application to remove mud room and replace it with side porch.

Krakowski presented that the existing mudroom is a later and poorly constructed addition attached to the west side at the junction of the main block and the rear wing of the house. The mudroom will be removed and replaced by a side porch with a similar architectural vocabulary as the house's front porch. A style difference between the front porch and the new side porch is that the absence of brackets on new side porch. The owner does not think the brackets on the front porch are original features and is considering replacing them at a future date with ones more in keeping with the house's architectural style. He stated that the existing exterior door, hidden by the addition of the mud room, remains and will serve as the exterior entrance door from the new porch.

The Board's review was based on

1. Presentation by and discussion with Krakowski,
2. Review of the drawings of Preservation Design Group dated June 2014 for the project and other information in the application,
3. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda, July 16, 2014," and
4. Visual inspection of the building and its neighborhood by ARB members.

The Board members found that proposed open one-story, 2-bay porch with shed roof is in harmony with and compatible with the architecture of the existing frame, 2½-story house with 3-story corner tower and 1-story front wraparound porch. The architectural style, materials, and details of trim and ornament of the proposed side porch including cornice, railing, and piers with pedestals are modeled on those of the front porch. The proposed porch relates more effectively with building's picturesque architecture than does the existing mudroom, which will be removed. The board noted that that the area variance is due to preexisting conditions and proposed change in square footage is small, less than 72 square feet.

No public comment. Motion by Mathews, seconded by Holley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Buckley, seconded by Holley, by a vote of 4-0, approved as submitted with a positive recommendation to the ZBA for an area variance from Article IV, VON§360-4.3, table 4-1: Dimensional standards for alteration/enlargement of a building with the following dimensional/ developmental non conformities: an existing 11.5 ft. front yard setback where 17.5 ft. is required; a minimum side yard of 4.8 feet where 5.8 ft. is required; and a building height of 2.5 stories where 2 stories is permitted. The approved application has drawings for *Open Porch Addition Project, 71 Third Avenue*, by Preservation Design Group, Daniel Koplowitz Architect, dated June 2014.

3. 70 South Franklin Street. Section 66.45, Block 1, Lot 32. Applicant: Blake Tovin. Application for a garage addition.

Tovin presented the proposed garage addition in the commercial building. The 560-square-foot, 1-story addition matches in style and materials the 1-story building, which has an exterior extensively remodeled for Tovin within the last ten years. The proposed addition will have glass, aluminum and weathering corrugated steel that match the materials on the building. It will be attached to the rear third of the north side resulting in a large setback from the front building line of the main block of the building. Its low roof is lower than that of the main block. Tovin stated that he considered that the attachment of the addition so far back from the street will provide the building with sufficient open space on the north side.

Board review was based on

1. Presentation by and discussion with Tovin,
2. Review of the drawings of Sebastian Quinn received by the Building Department June 27, 2014 for the project and other information in the application,
3. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda July 16, 2014," and
4. Visual exterior inspection of the building and its neighborhood by ARB members.

The Board members found that the aesthetics of the addition are compatible in style, materials and architectural detail with the design of the building. Appropriately the garage wing is clearly a wing with smaller scale, less imposing design, and considerable setback from the front building line of the main block. It does not appear to be a garage, except for the driveway.

The project requires area variances due to nonconformance with side and rear yard VON code requirements. They were discussed in relation to the aesthetics of the building and neighborhood. The building's style and relationship to the street in the area is unique. It is sited at an angle to the street. Its design with strong emphasis on its geometric massing is enhanced visually by the space around it that showcases its interesting massing. ARB members expressed concern that the reduction of space around the building will reduce its architectural presence as an architecturally significant free-standing commercial building. They were concerned that the reduction of space around the building impinges on the neighboring building

to the north. Other buildings along west side of the block are sited parallel to the sidewalk and street. Buckley expressed concern about the bulk and its aesthetic impact.

No public comment. Motion by Holley, seconded by Buckley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Mathews, seconded by Holley, by a vote of 3-1, with Buckley voting No, **approved** as presented.

ARB declined to make a recommendation to the ZBA regarding s variance related to non conformities to VON zoning code related to the side and rear yard preferring to leave the issue to the Planning Board and ZBA.

4. 3 South Broadway, Broadway Bistro. Applicant: Joseph Petrara. Application for a perpendicular sign, modified to include window signs.

The application was presented by John Gendy, a partner of Broadway Bistro. The intent is to reuse the exiting bracket for the perpendicular hanging sign and keep the circular sign board and modify it with new graphics, words, and colors. Since window signs are already in place, at the suggestion of the ARB, the application was modified to include the recently-installed window signs.

The Board's review was based on

1. Presentation by and discussion with Gendy,
2. Color design drawing and other application information,
3. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda, July 16, 2014,"
4. Visual inspection of the exterior of the building and its neighborhood by ARB members, and
5. Photographs of existing window signs taken during inspection by Brown and attached in the addendum.

Buckley expressed concern that the perpendicular sign's design with large "3" is too similar to the sign of 8 North Broadway, a restaurant only one block to the north. Other ARB members thought the difference in color and design were sufficiently dissimilar.

No public comment. Motion by Mathews, seconded by Holley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Holley, seconded by Mathews, by a vote of 3-1 with Buckley voting No, approved the application as presented with the following modification:

- The two existing window signs documented by the photographs in the addendum are approved subject to confirmation from the Building Department that they conform to VON zoning code requirements.

5. 82-84 South Franklin. Jeff Castaldo for Nyack Fitness. Application for a parallel sign, modified to include indirect lighting.

The application was presented by Castaldo. The sign will be centered over the three central windows on the Franklin Avenue façade. The larger upper part of the sign with logo is will be metal, painted orange, with cutouts of the logo. The lower part of the sign is unpainted metal with cutouts with the letters: NYACKFITNESS. The intent to use materials that relate to other buildings in the neighborhood as well as to the subject building. Castaldo was unsure exactly how the sign would be lighted. He thought that two of the existing gooseneck fixtures would be retained.

Board review was based on

1. Presentation by and discussion with Castaldo,
2. Design drawing by blackwalnut dated 24 June 2014 and other information in the application,
3. Memorandum to ARB Members from the Building Inspector re “Architectural Review Board Agenda July 16, 2014,” and
4. Visual inspection of the exterior of the building and its neighborhood by ARB members.

Board members found that the design of the sign is visually interesting and suitable for the building and neighborhood with the exception of height and lighting. They expressed concerns about the height of the sign, which in the drawing appears vertically squeezed in the space. The drawings indicated only 2” in space from the top of the first-story windows and only 1” of space between it and the sills of the second-story windows. The prosed height of the sign 4’ 10” so this space is visually insignificant. The sign needs more space around it for it to visually fit within the area where it will be placed. With little space above and below it, the sign will appear to be a relocated sign moved from a larger space.

The situation related to the lighting of the sign needs further thought as the way the sign will be lighted is not shown on the drawing. If outer two of the three existing gooseneck lighting fixtures are retained the situation will be awkward. They are located in the middle of the sign’s height, not above it. The sign will not be fully lighted. The lighting fixtures are stylistically too dissimilar from the bold modern style of the sign.

The applicant agreed to resize/redesign the sign to fit the space where it will be located and to develop and submit designs for exterior lighting for the sign that is in keeping with the sign’s and the building’s aesthetics.

No public comment. Motion by Mathews, seconded by Buckley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

By motion by Mathews, seconded by Holley, by a vote of 4-0, conditionally approved the application with the following conditions:

- (1) The materials of the sign were approved as presented.
- (2) General design of the sign was approved, with the following exceptions:
 - a. The size should be modified to allow for lighting.
 - b. The size needs to be modified to allow sufficient visual space below and above the sign so that it fits the space where it will be placed without appearing tight.
 - c. Appropriate indirect lighting fixtures need to be chosen, specifications submitted, and other information required for exterior lighting.
 - d. Drawings should be modified to indicate the modifications including the lighting fixtures.
- (3) The revised drawings showing the responses to these conditions are considered approved after positive review by two ARB members who voted on this conditional approval. If the revised application is not approved by two board members who participated in this review, the application will be reviewed as a continuation at a later public meeting of the ARB.

6. 168 Main Street, "Scrubs." Section 66.92, Block 2, Lot 76. Applicant: Keith Piscitelli. Application for one parallel sign and for one window sign.

The application was presented by **Piscitelli**, who agreed to the modifications.

Board review was based on

1. Presentation by and discussion with Piscitelli,
2. Design drawing by Hudson Valley Sign Studio dated 6/12/14 other information in the application,
3. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda July 16, 2014," and
4. Visual inspection of the exterior of the building and its neighborhood by ARB members.

The applicant agreed to reduce the size of the window sign to conform to VON zoning code requirements. Board members concerns included awkwardness in the parallel sign due to of the dissimilarity of the "s"s and its horizontal location on the large signboard space above the window.

No public comment. Motion by Holley, seconded Buckley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Buckley, seconded by Mathews, by a vote of 4-0, conditionally approved the application as presented with the following conditions:

- (1) Window sign will be reduced in size to comply with VON zoning code.
- (2) For the word "Scrubs" in the parallel sign, the first letter, a capital "S" will be changed in style to the same style as the "s" at the end of the word. Its height will remain larger than the other letters.
- (3) The parallel sign will be centrally located over the window and moved down on the face of the building so is closer to the window and the bottom of the first letter ("S" in "Scrubs") will align with the bottom of the sign of the adjacent business to the west, which is the bottom of the letters in the tag line "Beautiful Skin- Beautiful You" on the Bella Tu sign.

7. 100 Main Street, "Karma". Section 66.38, Block 1, Lot 21. Applicant: Adam Lipson. Application to replace existing awning sign, replace existing band (narrow linear) window signs, add two lights affixed to south façade above existing awning to illuminate awning sign, and paint sign at top of southern end of west building wall with directed strip light above to provide low level illumination. Request for recommendation to Zoning Board of Appeals for west wall sign and its lighting requires a variance as the location is on a building wall not facing a street.

Architect Robert Silarski presented for the applicant. He explained that the building has changed ownership and the application for signage is similar in general content to previously approved signs at the property for Mojo, but with changed logo and the addition of lighting for the west wall sign. The lighting was not previously approved or included in the variance. He stated that a similar western wall sign for previous restaurant had received a variance from the ZBA, but had not been installed nor were the approved gooseneck lighting fixtures for the awning sign installed. He stated that in the past Nyack downtown commercial buildings had wall signs on walls that did not face streets.

Board review was based on

1. Presentation by and discussion with Silarski,
2. Design drawing by S&Co Architecture + Design for "Karma, signage & Lighting, A-501 dated July 1, 2014 and other information in the application,
3. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda July 16, 2014," and
4. Visual inspection of the exterior of the building and its neighborhood by ARB members.

After considerable discussion on how best to modify the existing awning to accommodate the new awning sign the solution in motion was decided to be the preferred one. The suggestion to add a separating feature in the window band sign so the word "Karma" will be more decipherable resulted in the solution by Silarski. All ARB members were opposed to lighting the wall sign at the top of the west wall. Brown was opposed to permitting such a large non-conforming sign in the DMU Zoning District when the sign was not needed to achieve clear signage for the business. Other members did not share this concern. Silarski agreed to the modifications included in the motion.

No public comment. Motion by Holley, seconded Buckley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Mathews, seconded by Holley, by a vote of 3-1 with Brown voting No, **conditionally approved with positive recommendation to the ZBA** for a variance from Article IV, VON§360-4.311E(1) for the proposed parallel sign on a building wall not facing a street.

Conditions for the approval are the following:

- (1) The awning is approved as presented with the following change: the fabric patch with the sign will have a thin white border so that the sign will appear to have a white frame surrounding the black background with white lettering.
- (2) The window sign strip will have a diagonal square between each of the repeating "KARMA."
- (3) The wall sign on the west wall will be painted directly on the building and have black letters and the arrow will be the height of the letters. There will be no lighting.
- (4) The signs will be resized to comply with zoning regulations and will not require a size variance.
- (5) The revised drawings showing the responses to these conditions are considered approved after positive review by two ARB members who voted on this conditional approval. If the revised application is not approved by two board members who voted on this conditional approval, the revised application will be reviewed as a continuation at a later public meeting of the ARB.

8. 25 Catherine Street, Section 66.29, Block 2, Lot 66. Applicant: Joan Szanto. Application for one-story addition at rear of house.

The application was presented by Szanto. She stated that the enlargement was needed to accommodate the needs of her family as the two-bedroom house is too small. The house was built in the 1930's by Rotello. The sloping terrain of the property provided little flexibility in developing the footprint of the addition, which is attached the east side of the rear by a connector and extends to the east creating an roughly L-shaped footprint of the house, a previous rear addition, and the proposed wing and its connector.

Board review was based on

1. Presentation by and discussion with Szanto,
2. Design drawings by Elizabeth Parks Architect, dated June 2014 and other information in the application,
3. Memorandum to ARB Members from the Building Inspector re "Architectural Review Board Agenda July 16, 2014,"
4. Public comments by Mark Cohen, and
5. Visual inspection of the exterior of the building and its neighborhood by ARB members.

The design is compatible with the exterior of the 2-story brick house and its neighborhood. The addition will be 1-story, with vinyl siding similar to that on the house's existing rear wing, and windows of compatible design with those at the house. The 1-story height of the proposed addition, the fact that almost one half of it will be behind the main block, and the house's location downhill from the street level limits the visibility of the proposed addition from the public way. The variance required related to front yard setback is due the front yard of existing main block of the house. All of the addition has more than the required 18.59 front yard setback.

Comment from the public. Mark Cohen from 19 Catherine Street, a neighbor, stated that he very much supports the application and thinks it would be good for his neighborhood. No other public comment.

Motion by Mathews, seconded by Holley to close the public portion. Approved by a vote of 4-0.

Decision and Findings:

Motion by Buckley, seconded by Holley by a vote of 4-0, approved as submitted with positive recommendation to the ZBA for a front yard setback variance from Article IV, VON§360-4.3, Table 4-1 Dimensional standards for alteration/enlargement of a building with the following dimensional/developmental non conformities: an existing 7 ft. front yard setback where 18.59 ft. is required. The approved application has design drawings for Szanto Residence by Elizabeth Parks Architect, dated June 2014.

Let the record show the meeting ended at 9:00 p.m.

Respectfully submitted,

T. Robins Brown, *Acting Chairperson*

Addendum

4. 3 South Broadway. Joseph Petrara for Broadway Bistro. Application for a perpendicular sign with modification to include window signs.

Photographs of installed window signs taken by Brown, July 16, 2014.

