

Present:

Eileen Kuster-Collins *Chairperson*
Mary Mathews *Member*
Maggie McManus *Member*
Lisa Buckley *Alternate Member*
Donald Yacopino *Chief Building Inspector*

Application 1: 71 South Broadway. Rachel Pennington for “Interiors on Hudson”. Application for two ground floor window signs.

Building Inspector Review: Property is in DMU Zoning District. Proposal complies with zoning regulations.

Board Review Based Upon:

1. The application dated 10/27/2014;
2. Building Inspector review;
3. Applicant was not present.
4. ARB members knowledge of the site;
5. Site visits by members;
6. No testimony from the public.

Board Findings and Conclusions:

1. The board finds the application appropriate as submitted.

Conclusions of Law:

1. Having no further comment by the public, the public hearing is closed on a motion by Member Mathews, seconded by Member Buckley and is approved by a vote of 4 -0.
2. The Architectural Review Board has considered the factors set forth in Section 5.15C of the Village Law of NY State as follows:
Whether the development or alteration is: A. In harmony with the existing design and architecture of the Village; B. Is so detrimental to the surrounding area due to 1. Excessive similarity or dissimilarity to other nearby structures; 2. Inappropriateness of design.
3. The board concludes that the proposed alteration is in harmony with the existing design and architecture of the Village and is not detrimental to the surrounding area.
4. On a motion by Member McManus, seconded by Member Buckley, the board finds that the application be approved by a vote of 4-0.

Application 2: 140 Main Street. “DSZ Barbers Inc.” Application for two ground floor window signs.

Inspector Review: Property is in DMU Zoning District. Proposal complies with Zoning regulations.

Board Review Based Upon:

1. The application dated 10/28/2014,
2. Building Inspector review;
3. Testimony of
4. ARB members knowledge of the site;
6. Site visits by members;
7. No testimony from the public.

Board Findings and Conclusions:

1. The board discussed the border design and agreed that the border be considered a decorative device on the architecture rather than included as signage. Members recommend that the signage be consolidated into one front window with the decorative border remaining without signage in the other. The applicant agrees.

Conclusions of Law:

1. Having no further comment by the public, the public hearing is closed on a motion by Member McManus, seconded by Member Buckley, approved by a vote of 4-0.
2. The Architectural Review Board has considered the factors set forth in Section 5.15C of the Village Law of NY State as follows:
Whether the development or alteration is: A. In harmony with the existing design and architecture of the Village; B. Is so detrimental to the surrounding area due to 1. Excessive similarity or dissimilarity to other nearby structures; 2. Inappropriateness of design.
3. The board concludes that the proposed alteration with subjected conditions agreed to by the applicant, is in harmony with the existing design and architecture of the Village and is not detrimental to the surrounding area.
4. On a motion by Member Mathews, seconded by Member McManus, the board finds that the application be approved subject to the following conditions as agreed to by the applicant's representative:
 1. The decorative border is to be applied to both windows in the south elevation, and both windows in the east elevation. The border will be the rectangular style as indicated on the east (Franklin) elevation in the submitted photo renderings.
 2. The individual signage letters reading "DSZ Barbers Inc." will be located in the right front window. The telephone number will be applied on the entry door and will be no larger than pedestrian legible 3 inch maximum ht.
 3. All other signage is omitted.The motion is approved by a vote of 4-0.

Application 3: 263 Main Street. Bart Rodi for Rockland County Action Coalition Housing.

Site plan application to demolish existing building and construct a 33 dwelling unit three story residential building.

Building Inspector Review:

Proposal is to demolish single story structure and construct a three story multifamily apartment building with parking below ground. Property is in both the DMU (Main Street) and TFR (Depew Avenue) zoning districts, with the rear of the building encroaching into the TFR 25'+/-. An area variance will be required from Article II VON 360-2.2C which states: "**Lots in two or more districts.** Where a single lot is divided by one or more district boundary lines, the regulations for the less restrictive portion of such lots shall not extend into the more restricted portion of the lot."

An area variance will be required for 9 Efficiency Units of 450 sq. ft. from Article III VON§360 4.1360-3.2A (1) (b) which allows dwelling units in Mixed-use dwellings to be 450 sq. ft.: **Mixed-use dwelling:** "The minimum habitable floor area in an efficiency dwelling unit shall be 450 square feet and 600 square feet for a one-bedroom dwelling unit."

An area variance will be required from Article IV VON§360-4.3 Dimensional Standards Table 4-1, footnotes (g) and (k) which requires a 15' rear yard building setback from an adjacent residential zone (TFR).

With a density of 50 units per acre and a ½ acre parcel of land 25 Dwelling Units are permitted by right. The applicant proposes to implement green infrastructure incentives which will bring the number of permitted DU's to the requested 33.

PARKING: A variance will be required for 2 parking spaces, where 43 spaces are required and 41 are proposed.

Board Review Based Upon:

1. The application dated 10/20/14 and the drawings dated 10/24/2014;
2. Building Inspector review;
3. Testimony of A J Coppola, architect; B Rodi, engineer, G Levy, applicant;
4. ARB members knowledge of the site;
5. Site visits by members;
6. No testimony from the public.

Board Findings and Conclusions:

The board notes this is a preliminary review as the application is still in schematic form and requires feedback from other boards. The following items were reviewed:

1. Fire stair is located in center of front elevation, presenting circulation rather than living space as the main element of the building. Board questions if the stair could be smaller to match rear stairway and shifted to be a less prominent feature of the building.
2. Street line of the buildings is not maintained per the recommendation of the comprehensive plan. The entire building is stepped back. Board requests if at minimum, a section of the front elevation can maintain the street line.
3. Scale of north/south elevation is atypical and much longer than any adjacencies within range of the proposed building. Board requests the scale be visually reduced. Board recommends removing all gable roofs, continuing cornice from front elevation around to all other elevations, and visually divide building into sections more in scale with adjacencies.
4. The scale of the height and width of front façade differs from adjacencies. Board requested at a minimum, front elevation line drawings showing building together with adjacent buildings so board can assess impact on adjacent area.
5. Entry into building at both north and south elevation require revision. The design is not in character with village architecture. Architect requested suggestions. Board will respond.
6. Materials were not reviewed in detail. Brick for façade met no objection. Applicant will present detailed information on all materials as drawings are presently in schematic form.
7. Drawings require development once planning review has occurred. Elevations and details for all sides of the building are required.
8. Applicant and consultants agree to consider architectural review board comments and will present further at a future meeting.

Conclusions of Law:

1. The public hearing remains open.
2. The Architectural Review Board will consider the factors set forth in Section 5.15C of the Village Law of NY State when the application is complete.
3. The application remains open for further review.

Application 4: 48 South Franklin Street. Schenley Vital. Site plan application to alter existing structure with interior renovations and the addition of a third story.

1. **Building Inspector Review:** Property is in DMU Overlay Zoning District. Per Article I VON§360-1.9E an area variance is required from Article IV VON§360-4.3, Table 4-1 Dimensional Standards for the alteration/enlargement of a building with the following dimensional and developmental non conformity: existing rear yard setback of 1'+/- where 15 ft. is required, since the rear yard is adjacent to the TFR residential district.

PARKING:

Proposal would require 9 parking spaces if building were being constructed today. Most recent use as a retail space would have 13 spaces assigned to the property. Parking requirements are met under that analysis per language of Article IV VON§360-4.5B (3).

Furthermore two separate variances for off street parking of 7/20/1989 (9 spaces) and 5/30/2003 (18 spaces) grant a total of 27 parking spaces to this property.

Parking requirements are met.

Board Review Based Upon:

1. The application and the drawings dated 10/3/2014,
2. Building Inspector review;
3. Testimony of Schenley Vital;
4. ARB members knowledge of the site;
5. Site visits by members;
6. No testimony from the public.

Board Findings and Conclusions:

1. The Board questions if demolition of the existing façade is necessary. Some members feel the façade is worth preserving. Applicant responded that the façade is in very poor condition. The central entry does not accommodate entry for both business and residential functions. The building Inspector noted that this is not the original façade at that building. Board members understand the issues with the façade and a majority agree that demolition is warranted.
2. Height of building is increased as a result of the applicant's desire for high ceilings, and an additional floor. Board requests that adjacent buildings be shown in elevation with the proposed building to assess height impact. Buildings to right are two story; buildings to left are two and a half stories.
3. Windows are indicated as awning windows. Board requests that windows be revised to be consistent with the traditional form of the building and the character of adjacent buildings. Applicant agrees that double hung units would be appropriate. Board suggested two over one, or one over one mullions.
4. Brick on front faced is shown as being applied to front façade as a veneer. Board requests that brick wrap façade on sides by a minimum of 12 inches to be consistent with typical detail found in village.
5. Board recommends applicant consider 3 exterior lights on front façade as 4 seems excessive for a small storefront.
6. Elevation drawings need to be submitted in larger sheets than 11 by 17 for legibility are to include all details, materials etc. All other drawings can remain the smaller format.
7. Applicant presented both a smooth brick and a textured brick and asked the board's opinion on material. Board did not express a preference but noted that it would be appropriate if applicant chose to use both materials, one on lower, and one on upper sections of the façade.
8. The Building Inspector notes that the applicant has time restricted grant financing. The board understands the restrictions and agrees that the demolition and proposed 3 story structure is appropriate provided that the above stated comments of the board can be addressed.

Conclusions of Law:

1. The public hearing remains open.
2. The Architectural Review Board will consider the factors set forth in Section 5.15C of the Village Law of NY State as follows when the application is complete:
Whether the development or alteration is: A. In harmony with the existing design and architecture of the Village; B. Is so detrimental to the surrounding area due to 1. Excessive similarity or dissimilarity to other nearby structures; 2. Inappropriateness of design.
3. The application remains open.

Application 5: 247 Main Street. Kier Levesque for “bethel Alliance Church”. Application for a sign parallel to Main Street.

Inspector Review: Property is in in DMU Zoning District. Proposed sign complies with zoning Regulations.

Board Review Based Upon:

1. The application dated 10/17/2014,
2. Building Inspector review;
3. Testimony of Kier Levesque, architect for the applicant;
4. ARB members knowledge of the site;
5. Site visits by members;
6. There was no testimony from the public.

Board Findings and Conclusions:

1. Board finds the application appropriate as submitted.

Conclusions of Law:

1. Having no further comment by the public, the public hearing is closed on a motion by Member McManus seconded by Member Mathews, approved by a vote of 4-0
2. The Architectural Review Board has considered the factors set forth in Section 5.15C of the Village Law of NY State as follows:
Whether the development or alteration is: A. In harmony with the existing design and architecture of the Village; B. Is so detrimental to the surrounding area due to 1. Excessive similarity or dissimilarity to other nearby structures; 2. Inappropriateness of design.
3. The board concludes that the proposed alteration with subjected conditions, is in harmony with the existing design and architecture of the Village and is not detrimental to the surrounding area.
4. On a motion by Member Mathews, seconded by Member Buckley, the board finds that the application be approved as submitted.
Approved by a vote of 4-0

Application 6: 38 Tallman Place. Kier Levesque for Michael Kriz. Application to replace windows and doors.

Inspector Review: Property is in in SFR-1 Zoning District. Proposal complies with zoning regulations.

Board Review Based Upon:

1. The application and drawings dated 10/22/2014,
2. Building Inspector review;
2. Testimony of Kier Levesque, architect for the applicant;
3. ARB members knowledge of the site;
4. Site visits by members;
5. No testimony from the public.
6. Recusal of Member Collins

Board Findings and Conclusions:

1. Board finds the application appropriate as submitted.

Conclusions of Law:

1. Having no further comment by the public, the public hearing is closed on a motion by Member Mathews seconded by Member McManus, approved by a vote of 3-0 with Member Collins recused.
2. The Architectural Review Board has considered the factors set forth in Section 5.15C of the Village Law of NY State as follows:

- Whether the development or alteration is: A. In harmony with the existing design and architecture of the Village; B. Is so detrimental to the surrounding area due to 1. Excessive similarity or dissimilarity to other nearby structures; 2. Inappropriateness of design.
3. The board concludes that the proposed alteration with subjected conditions is in harmony with the existing design and architecture of the Village and is not detrimental to the surrounding area.
 4. On a motion by Member McManus, seconded by Member Mathews, the board finds that the application be approved as submitted.
Approved by a vote of 3-0.

Application 7: 38 Tallman Place. Kier Levesque for Michael Kriz. Site plan application for new rear yard deck and basement entry.

Inspector Review: Application for one parallel sign and one perpendicular sign on Main Street.

Property is in in SFR-1 Zoning District. Per Article I VON§360-1.9E an area variance is required from Article IV VON§360-4.3, Table 4-1 Dimensional Standards for the alteration/enlargement of a building with the following dimensional and developmental non conformities: existing front yard setback of 17.5 ft where 23.12 ft is required; a minimum side yard of 4.6 ft. where 6.48 ft. is required; a rear yard setback of 26 ft where 34.67 ft is required.

Additionally an area variance is required from Article IV VON 360-4.3. Dimensional Standards Table 4-1 for a front yard setback of 20 ft. where 23.12 ft is required for the construction of a front yard basement entry.

Board Review Based Upon:

1. The application and drawings dated 10/22/2014;
2. Building Inspector review;
3. Testimony of Kier Levesque, architect for the applicant;
4. ARB members knowledge of the site;
5. Site visits by members;
6. Testimony from the public: Eileen Collins, neighbor, asks if risers in stair to basement can be reduced to make the run shorter, within boundary of house.
7. Recusal of Member Collins

Board Findings and Conclusions:

1. Board asks if basement stair could be moved to rear of property. Architect responds that excavation is more difficult in rear and basement entry in front can be found elsewhere in village.
2. Board requests that exterior front elevation basement stair be shortened, and the railing reduced to reduce impact on streetscape.

Architect and applicant agree. Architect states that the land in the front will be graded for the project so the land can rise at that location to reduce the number of stair risers.

Conclusions of Law:

1. Having no further comment by the public, the public hearing is closed on a motion by Member McManus, seconded by Member Buckley, approved by a vote of 3-0.
2. The Architectural Review Board has considered the factors set forth in Section 5.15C of the Village Law of NY State as follows:
Whether the development or alteration is: A. In harmony with the existing design and architecture of the Village; B. Is so detrimental to the surrounding area due to 1. Excessive similarity or dissimilarity to other nearby structures; 2. Inappropriateness of design.
3. The board concludes that the proposed alteration with subjected conditions agreed to by the applicant, is in harmony with the existing design and architecture of the Village and is not detrimental to the surrounding area.

Regular Meeting
Architectural Review Board

November 19, 2014
Nyack Village Hall, Nyack NY

4. On a motion by Member McManus, seconded by Member Buckley, the Board finds that the application be approved subject to the following conditions as agreed to by the applicant:
 1. The basement entry stair in the front elevation will be shifted south, to reduce the height by a minimum of one riser.
 2. The stair rail to the basement will be minimized at the western end and will be in a style in keeping with the architecture of the house.
- Approved by a vote of 3-0 with Member Collins recused.

The meeting adjourned at 9:40.

Eileen Kuster-Collins, Chairperson