

**Members Present:**

Eileen Kuster-Collins            *Chairperson*

Toma Holley

Maggie McManus

T. Robins Brown

Mary Mathews

Don Yacopino                    *Acting Building Inspector*

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The Minutes of the June 16, 2010, Nyack Architectural Review Board Meeting have been approved.

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- 1 **11 Orchard Place. Bob Hoene, architect, for Yanina Kotlyar. Application for existing dwelling to be removed and a new dwelling to be constructed with a freestanding garage.** This application is for the demolition permit only.

Member Kuster-Collins recused herself from this application as she is adjacent property owner.

Regarding the drawings submitted with the application indicating the proposed new structure, Member Brown expressed concern for the siting of the proposed building that is not parallel to the street but skewed to the north. It was noted that this would be addressed when the Board officially reviewed the proposals for the new structure.

Public comment by Donna Laville, neighbor to the north, who was in favor of the proposal for a stone building and was in favor of a quality material as opposed to vinyl. Question by Stanley Cracovia, neighbor to the west, who wanted to know the height of the proposed structure versus the height of the existing structure. Comment by Eileen Kuster-Collins requesting that documentation, photos of the existing buildings including the height, be submitted for record, and also wanted the Board to note that the proposed property is in the legal view corridor. She requested removal of debris which is blowing onto neighboring properties and urged the applicant to salvage the windows so that they could be reused rather than landfilled.

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

Motion by Member Brown, seconded by Member Holley to approve the application for demolition with the following conditions: That records of the existing building, including photos, be submitted, and that required photos of adjacent properties on the site be submitted with the applications. This application is for demolition only, not for any proposed structure. Approved by a vote of 4-0.

2 ***4, 10, 17 North Highland Avenue. "Walgreens". Continuation of application for Walgreens store and multiple signage. The applicant was represented by Attorney McCartney.***

The Board had comment on the signage in general noting that there is an abundance of signage and numerous variances are required. The proposal includes the following: Non-compliant illumination is requested for all of the signage proposed except for the parking-related signs. The proposed pylon sign is indicated as being twice as tall as the Provident Bank sign and four times larger in area than the allowable code-compliant sign of 20-square feet. There is an LED billboard-type sign mounted below the proposed pylon sign that is going to advertise information other than the allowed store name. The proposed monument sign on 9W is not as large as the pylon sign but is proposed as being internally illuminated. There is a sign proposed to be added above the existing Provident Bank pylon sign. There are parallel signs on the front of the building, one reading Walgreens, the other reading Pharmacy, the other reading Photos, and one in the glass tower, all proposed as being internally illuminated. There is also signage on the canopy, one reading Thru Pharmacy and the other reading Exit that are greater in size than the permitted 2-square feet, again internally illuminated.

Many of the signs exceed the allowable area. The most notable is the pylon sign which is indicated as 80-square feet, not including the LED sign, where 20-square feet is allowed.

Board comments:

1. There is an abundance of signage;
2. The illumination is excessive;
3. The variance requirements were excessive;
4. The LED sign is inappropriate for the character and appearance of the Village.

The applicants argued that the signs were essential to the success of the business. The Board requested documentation supporting that view.

There was public comment by Kathleen Christopherson who is the property owner of the corner building at the intersection of Route 9W and Route 59. She wanted it recorded that Walgreens is instituting a setback of ten feet, which Walgreens states was required by the State DOT. Ms. Christopherson stated that this will eliminate her parking space and all of the greenery that is in front of her building, therefore making her building non-functional, and in their effort to have a viable business, she stated they are essentially putting her out of business, and she requested that this be noted in the record.

Representatives for Walgreens requested concessions, stating that if we would allow the LED sign to exist in a different form, perhaps non-LED but hand-applied letters, that they would, in response, reduce the size of the pylon sign. The Board advised that the applicant could resubmit information and the Board would review it but made no commitment to any concessions.

The applicants also suggested that in an effort to reduce the abundance of internal illumination, they would look at different approaches such as external lighting on some of the signage on the façade of the building. The Board noted that there are three large parallel signs on both the south facing and east facing façades that are very visible, and felt that it was excessive illumination. The pylon sign is very tall on Route 59, is over scaled and also has excessive illumination. The Board reiterated that the proposed signage package seemed excessive.

The Board discussed its intent to ensure that this application is not excessively dissimilar to the character and appearance of the Village.

The DOT signs proposed are not compliant with Nyack Village Code. In some cases they are in excess of 2-square feet. The applicant agreed that the signs would be reduced to be code compliant.

The applicant noted that the Walgreens script sign does not project greater than 12-inches from the façade. The notes indicate that it actually projects 7 inches, so the projection is code compliant.

The applicant also stated that they would be willing to omit the monument sign in exchange for allowances on other signs. The applicant also stated they would resubmit and return.

The application remains open for further review.

- 3 **20 West End Avenue. Tom Lynch. Application for a one-story addition at rear of house.** Variances are required for existing non-conformance per dimensional standards.

No public comment. Motion by Member Brown, seconded by Member Mathews to close the public portion; approved by a vote of 5-0.

Motion by Member McManus, seconded by Member Holley to approve the application with a positive recommendation to the Zoning Board of Appeals for the required variances. The applicant's representative stated that the kitchen window was drawn without casing in error and it would have applied casing to match the other windows.

Approved by a vote of 5-0.

- 4 **253 North Midland Avenue. Anne O'Connor. Application for a deck at rear of house.** The property requires a variance for dimensional standard and setback non-compliance.

No public comment. Motion by Member McManus, seconded by Member Mathews to close the public portion; approved by a vote of 5-0.

Motion by Member McManus, seconded by Member Holley to approve the application with the following condition: The applicant must submit photographs of the style of the neighboring property which she is duplicating for review by two members of the Board. A positive recommendation for the variances is submitted to the Zoning Board of Appeals. Approved by a vote of 5-0.

- 5 **11 South Highland Avenue. Lee Smith for Investment Promotion Group, Inc. Application for a freestanding sign.** The sign requires a variance as it is a freestanding sign and does not have the required setback. The applicant stated that the signage size was 30 inches by 32 inches.

No public comment. Motion by Member McManus, second by Member Holley to close the public portion, approved by a vote of 5-0. Motion by Member Mathews, seconded by Member Holley to approve the application with a positive recommendation to the ZBA for the required variance. The motion to approve was made with the suggestion to the applicant that: the number 11 be centered on the legs of the 11 rather than the serif so that the 11 is exactly centered in the sign for better graphic proportion. Approved by a vote of 5-0.

- 6 **138 Main Street. Masao Umezalo for Muraski Restaurant. Application for sign on awning valance.** The applicant stated that the wording proposed on the awning is the actual business name of the sign. The Building Inspector requested that the applicant submit documentation indicating the name. The Building Inspector will determine if a variance is still required.

No public comment. Motion by Member McManus, seconded by Member Holley to close the public portion; approved by a vote of 5-0.

Motion by Member Brown, seconded by Member Mathews to approve the application with the following conditions:

1. The lettering height may not exceed 6 inches;
2. The wording on the sign is approved subject to the Building Inspectors review of the business title documentation.

Approved by a vote of 5-0.

- 7 **29 Dickinson Avenue. Kier Levesque for Donald and Ronna Hammond. Application to extend shed dormer at rear of house, add dormer to second floor front and add two balconies.** Application complies with zoning regulations.

No public comment. Motion by Member McManus, seconded by Member Holley to close the public portion; approved by a vote of 5-0.

Motion by Member McManus, seconded by Member Holley to approve the application as submitted. Approved by a vote of 5-0.

- 8 **92-94 Main Street. Parallel sign application.** This proposal brings the signage requirement to the total amount allowed on the building.

No public comment. Motion by Member Holley, seconded by Member Brown to close the public portion; approved by a vote of 5-0.

Motion by Member Holley, seconded by Member Mathews to approve the application with the notation that the applicant has indicated that this is frosted glass with applied lettering. Approved by a vote of 5-0.

- 9 **4 Park Street. Sabrina Feldman for “Weld Realty”. Application for three signs.** The perpendicular sign is code compliant. The signage proposed for the vacated window requires a variance. Allowable signage on the glass is 18-square feet.

The Board with the agreement of the applicant is reviewing the application for the perpendicular sign only.

Motion by Member Brown, seconded by Member Mathews to close the public hearing on the perpendicular sign only; approved by a vote of 5-0.

Motion by Member Mathews, seconded by Member McManus to approve the application on the perpendicular sign only. The applicant has noted that the sign is composed of wood with a metal ring and a metal bracket. Approved by a vote of 5-0.

The balance of the application remains open.

- For the record, submission by Burt Hughes for the housing project on Depew Avenue, please note that two members have approved door-style TS296.

Let the record show the meeting ended at 10:35.

Respectfully submitted,

Eileen Kuster-Collins  
*Chairperson*