

**NYACK PLANNING BOARD--July 5, 2016**

**Members Present:**

Peter Klose (Chairman)

Seth Kestenbaum

Peter Voletsky

Alan Englander

Don Wilen - Alternate (voting)

Elijah Reichlin-Melnick - Alternate (not voting)

Absent: Daniel Jean-Gilles

**Also Present:**

Walter Sevastian

Don Yacopino, Building Inspector

Bob Galvin—Village Planner

**Other Business:** Motion to approve the June 6, 2016 Minutes-- made by Chairman Klose and seconded by Voletsky. Approved by a Vote of 5-0.

1. **176 North Franklin Street. Rocco Perini. Application for removal of twelve trees.** Arborist's letter included. Property is in TFR zoning district. **Application has been referred to Nyack tree commission.**

**SEQRA** – *this is a Type II action under SEQRA NYS DEC 617.5 (c) (10) “construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; “LWRP – As a Type II action, the Village Code considers this to be consistent with the policies of the Village’s LWRP.*

**Applicant-- Dean Dykman--**Perini's arborist has submitted a report which includes a tree/shrub proposal to remove 12 trees, all of which are invasive Norway Maples or mulberries, while leaving two oak trees and a yew tree. The trees to be removed have created so much shade that the property owner cannot grow anything under the trees. Even grass will not grow, creating problems with runoff over bare soil. The replanting plan will include grass for much of the backyard with small trees to be planted at the rear of the property close to Tilou Lane. No comments by neighbors. [Since the front yard trees aren't part of this item, do we need to mention them in the minutes?]

PUBLIC-- NONE

**Member Englander** thinks it sounds like it will make the property better -- wondering if applicant should plant additional trees/shrubs that will prevent the runoff-- needs grading and grass planting ASAP-- arborist believes that the Norway maples form too dense of a canopy-- no grass, so no ability to stop runoff-- trees landscaping actions will be ameliorative of the house.

**BOARD--** Motion by Chairman Klose to close the public hearing. Seconded by Kestenbaum -- -- Vote 5-0 to close.

Klose moves to accept application to remove the requested trees subject to the applicant planting appropriate foliage and landscaping including those referenced on the planting plan in the application and arborist letter dated June 16, 2016 and any other foliage ameliorating any storm water runoff caused by the removal of old growth trees seconded by Englander, and vote-- 5-0- application approved.

**2. 8 Catherine Street. Clemente. Application for removal of three rear yard trees. Property is in TFR zoning district.**

**Building Inspector--** *Two trees on east property line are dead as described in arborist's report and can be removed without PB approval. Large tree in center of rear yard will require PB approval.*

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**Applicant--** Christina Clemente-- tulip tree is a huge portion of the rear yard-- concerned about the tulip tree. Applicant will take steps to ameliorate the removal of the tree-- Alternate Member Reichlin-Melnick noted that the arborist's report is factually incorrect in characterizing the tulip tree as “dead” when photos present by the applicant and site observation by members of the Planning Board clearly show that the tree is alive. He also noted that the arborist's letter did not indicate that the tree was unsafe in any way, only that it was buckling the concrete in applicant's backyard. He requested an opinion from an arborist as to whether or not the tree presented a safety hazard. Other board members were prepared to approve the application without waiting on further arborist review. Member Voletsky and Alternate Member Reichlin-Melnick suggested that if the applicant is granted permission to remove the tree she should consult with the tree committee on replacement plantings.

Public-- No comment

**BOARD--** Motion by Chairman Klose to close the public hearing. Seconded by --Voletsky -- Vote 5-0 to close.

Voletsky moves to accept application to remove the requested tree subject to the applicant planting appropriate foliage and landscaping including planting significant trees [(after conferring with the Nyack tree committee (Marcy Denker))]; applicant not bound by

Tree Committee demands, but agrees to discuss with the tree committee to plant trees that will tend to ameliorate any storm water runoff caused by the removal of old growth trees. Englander seconded and vote-- 5--0 to approve.

3. **197 N. Midland Avenue. Tracey. Application to remove front yard tree. Property is in TFR zoning district. Submitted arborist's report indicating reasons for tree removal.**

**SEQRA** – *this is a Type II action under SEQRA NYS DEC 617.5 ( c ) (10) “construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; “LWRP – As a Type II action, the Village Code considers this to be consistent with the policies of the Village’s LWRP.*

**Applicant-- Applicant** claims that black walnut tree in her front yard has made it impossible to grow any other plants and said she had spent over \$1000 on plantings, none of which have thrived. Applicant said that she had planted two large flower beds, and other shrubs and that none of them grew well because of the tree.

Alternate Member Reichlin-Melnick voiced concerns that although the arborist letter submitted with the application indicated that the tree should be removed because it was buckling the sidewalk, observations made by Reichlin-Melnick showed no damage to the sidewalk or applicant’s driveway. He also questioned the arborist’s conclusion that the tree was a black walnut, and stated that it appeared to be a hickory tree of some sort. He noted that this same arborist had submitted the letter for the previous applicant which incorrectly listed a perfectly healthy tree as “dead.”

Member Voletsky agrees that black walnuts are known to kill nearby plantings and said that if the tree is in fact a black walnut he would be in favor of approving the application.

Tree Committee Report 197 Midland Avenue (**received after meeting**)

*The tree proposed for removal is a bitternut hickory in good condition. It is located close to the sidewalk and provides shade over the sidewalk and functions as a street tree. This tree is a good example of the type of front yard tree planting the village forestry program should promote, since it is planted where there is adequate soil volume for the roots to grow, avoids damage to the sidewalk, won't interfere with overhead wires (since the wires are on the other side of the street), and provides cooling shade on the west side of the house.*

*The owners reported that they can't successfully grow plants in the vicinity of the tree*

and identified it as a black walnut. A lawn, herbaceous perennial plants and a small tree are growing in the root zone of the tree.

Note: Black walnuts produce juglone, which is toxic to the plants that are sensitive to it. Hickories produce juglone to a lesser degree than black walnuts. However, there are many options for planting under hickories and walnuts (see the following link). [http://extension.psu.edu/plants/gardening/fact-sheets/trees-shrubs/landscaping-and-gardening-around-walnuts-and-other-juglone-producing-plants/extension\\_publication\\_file](http://extension.psu.edu/plants/gardening/fact-sheets/trees-shrubs/landscaping-and-gardening-around-walnuts-and-other-juglone-producing-plants/extension_publication_file)

Applicant said she will plant a lollipop style spiked root tree in the middle of her front yard to replace the removed tree. The new tree will probably be of a species that does not grow more than about 15 feet tall.

**BOARD--** Motion by Chairman Klose to close the public hearing. Seconded by Voletsky Vote 5-0 to close.

Voletsky moves to accept application subject to the tree committee confirming that the tree is in fact a black walnut and to review and recommend the remediation/replanting, and suggest to the applicant planting appropriate foliage and landscaping including planting significant trees [(after conferring with the Nyack tree committee (Marcy Denker)]; applicant not bound by Tree Committee recommendations, but agrees to discuss with the tree committee planting trees that will tend to ameliorate any storm water runoff caused by the removal of old growth trees. Whilen seconds and vote-- 5--0, to approve.

**4. 1 Laveta Place. Kier Levesque for Miller. Site Plan application for a two car garage with pool house attached and in-ground pool. Property is in SFR-1 zoning district. Amended site plan will NOT require an area variance will be required from Article III, VON§360-3.2E8 (b) & (c) for an in- ground pool closer than 20 ft. to the south property line.**

**SEQRA** – this is a Type II action under SEQRA NYS DEC 617.5 (c) (10) “*construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;*” **LWRP** – *As a Type II action, the Village Code considers this to be consistent with the policies of the Village’s LWRP.*

**Applicant--** This application is for a new 2 car garage with attached pool changing room, and a small in-ground swimming pool. The proposed garage is designed to fit in with the existing house style and meet the zoning code requirements of height and max. floor area. It has siding and trims to match the existing but uses new Hardi and Azek materials to create

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the same look. The pool is to the east of the garages with 6' pool deck all around it. The equipment is near the house in the same area as the AC units. It will be fenced and landscaped. The pool barrier fencing is just around the pool and will comply with the state code requirements for pool barriers. As noted on the site plan, some trees have been removed under a separate permit. The pool placement was governed by the sanitary sewer easements that cross the entire east side of the property as well as the proximity to the changing room and rear yard setback. This application has been before the ARB which has requested some changes which were approved on June 15th. The project does not require any zoning variances as shown.

**BOARD**--no variance required because the pool was moved 8' away from the rear yard setback and the Board commended the applicant for such compliance. Lighting will be in the pool and will light the edge of the pool. The pool lining will be gunite. [gunite?]

**SITE PLAN**-- Chairman Klose moves to close (second by Don Whilen) Closed 5-0.

Motion by Voletsky to accept Site Plan dated April 26, 2016 May 17, with revisions in June 28 2016, consisting of one pages -- approved subject to the plan being constructed with any exterior lighting down facing and subject to reasonable conditions imposed by the ARB. -- Seconded by Voletsky Approved. VOTE 5-0.

**5. 39 North Midland Avenue.** For Applicant ??? Kier Levesque ??Site plan application for a two story addition and side yard deck. Property is in TFR zoning district. Proposal complies with zoning requirements.

**Building Inspector**-- *Applicant received conditional ARB approval on June 15, 2016 Contrary to architect's notes, although the applicant is continuing the degree of side yard nonconformity it is my determination that the degree of the existing nonconforming 5' side yard has not been increased by placing the deck 5'1" from south property line, according to Article I, VON§360-1.9E.*

**SEQRA** – this is a Type II action under SEQRA NYS DEC 617.5 ( c ) (10) *“construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;”* **LWRP** – *As a Type II action, the Village Code considers this to be consistent with the policies of the Village's LWRP.*

**APPLICANT This** application is for a 2 story addition and a side deck to the rear of the existing dwelling. The addition footprint is 189 sf and the deck is 219 sf. The current location of the house on the property is nonconforming to side yard under the current zoning code.

The deck has been set back so as to not increase the existing nonconforming condition. As required under VON section 360-1.9 E Nonconforming buildings, this application will need a variance in order to enlarge the existing building. The ARB has approved the project with

conditions and we will not be increasing the degree of nonconformity. Therefore, we request conditional approval by the Planning Board for this project.

**PUBLIC-- NONE**

**BOARD--** Chairman Klose moves (Seconded by Voletsky ) to close the public hearing Vote 5-0.

**SITE PLAN--** Chairman Klose moves to accept (seconded by Voletsky) Site Plan dated June 2, 2016, and revised June 16, 2016 with two sheets A-1 and A-3 approved subject to the plan being constructed with any exterior lighting down facing and subject to reasonable conditions imposed by the ARB. Approved. VOTE 5-0.

6. **19 Marion Street. Kier Levesque for Pagano. Site plan application for the creation of two front yard parking spaces and removal of front yard "significant tree". Property is in TFR zoning district.**

**Building Department** *Removal of 8" tree requires PB approval. The dead tree can be removed with building department approval. Requires a variance from **Article V VON§360-4.5D (1)** permits only one car to be parked on a driveway in the front yard. The additional vehicle will require an area variance.*

**SEQRA** – Type II action

**LWRP** – *As a Type II action, the Village Code considers this to be consistent with the policies of the Village's LWRP.*

**BOARD--** Chairman Klose moves (Seconded by Voletsky) to close the public hearing with respect to the request for variance from **Article V VON§360-4.5D (1)** *permits only one car to be parked on a driveway in the front yard. The additional vehicle will require an area variance.*

**APPLICANT--** This application is for 2 new parking spaces in the front yard. A brief history – this lot and the adjacent lot were under the same ownership and were recently sold. The previous owner parked cars for both lots in the driveway of #21. The new owner also owns the adjacent parcel at 21 Marion St and plans to sell them individually. Since #19 does not have a parking area or a driveway, the only available area is on the SW corner in the front yard.

Each dwelling unit in the TFR zone requires 2 parking spaces. VoN zoning code section 360 4.5D allows only 1 car to park in the required front yard. We have no feasible alternate to accommodate the required second space except to locate it in the front yard. The existing side yards cannot accommodate a parking space. Therefore, we will require a zoning area variance for the second parking space in the front yard. The site plan shows the proposed location of the 2 parking spaces and also highlights the removal of 2 trees. There is a 24" tree that is dead and a second 8" tree that needs to be removed that is in the village right of way. The large

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36" tree on the NW corner will remain. We are also replacing the asphalt walk with a concrete walk and curb to meet the village standards. We are requesting conditional approval by the Planning Board for this project, conditioned upon a successful area variance application to the zoning board for the second parking space in the front yard.

Code allows single family home to have one parking spot in the front yard but requires a variance for a second space. Planning Board has to approve new curb cuts also.

Alternate Member Reichlin-Melnick pointed out that parking on Marion Street is alternate side overnight parking only and that as a renter on the block he has observed that every space in the neighborhood between Broadway, Franklin, 1st, and 3rd is already taken up on a typical night. He expressed concern that because of the new curb cut proposed, the creation of two new private parking spaces by the applicant would lead to the loss of at least two public parking spaces in a neighborhood where parking is already hard to come by.

Member Kestenbaum asked why the applicant, since he owns both properties, couldn't just use the existing shared driveway and build the parking spaces in the spacious back yard of the property. He noted that many properties in the village have shared driveways.

Mr. Levesque said that the applicant did not feel he could sell the properties if they had a shared driveway and that applicant did not want to have a shared driveway.

The Board was seriously concerned about allowing a variance to park cars in the Front Yard-- this is a small residential building-- while one parking spot seems reasonable, there are various other locations or ways to address the lack of parking rather than to park in the front yard and create a curb cut which will eliminate needed on-street parking. To grant a "variance" in this case, would cause significant impact to the neighborhood, changing the character and style of the home and the other homes in the neighborhood and eliminating needed on-street parking used by the many renters in the area.

Motion by Chairman Klose to close the public hearing relative to the recommendation to the ZBA. (Seconded by Voletsky-- Vote 5-0).

**NEGATIVE RECOMMENDATION OF THE PLANNING BOARD--** Chairman Klose (seconded by Voletsky ) to make a **NEGATIVE** recommendation to the ZBA to grant the requested variance from Article V VON§360-4.5D (1), which permits only one car to be parked on a driveway in the front yard. The additional vehicle will require an area variance on the grounds that the view of the public neighborhood, loss of streetscape aesthetics, availability of feasible alternatives (parking on a shared drive in the rear yard) and loss of public parking mitigate against the variance being granted-- This is a self-imposed situation whereby the owner of both lots could mitigate the condition by developing a cross easement and direct the parking to the rear of this relatively deep lot. (Voletsky second-- 5-0 to issue a Negative Declaration)

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Otherwise, The Board approved applicant's request to remove the significant 24" tree in the front yard since the entire top of the tree broke off in a recent wind storm and all that remains is a large approximately 10' foot tall stump with no branches or leaves.

**SITE PLAN--** held in abeyance until after the ZBA makes a decision as to the requested variance. The applicant shall return to the Planning Board should the variance be granted.

7. **273 Main Street. Gateway Lofts. Site Plan application to construct a four story multi-family dwelling, subdivision for the merger of two lots and request for recommendation to the Zoning Board of Appeals. Property is in the DMU zoning district. An area variance will be required for a height variance from Article IV VON§360-4.3, Dimensional Standards Table 4-1 for a four story building where three stories are permitted.**

Response provided from Rockland County Planning, none yet from NYS Department of Transportation and NYS Thruway Authority.

SEQRA – This is an unlisted action requiring notice of intent to be lead agency to be sent to involved and interested agencies. The GML referral has already been sent to Rockland County Planning. The Board assumed lead agency status for the review of this application at their May meeting.

The ZBA can hear this application for an area variance but would need to wait for SEQRA to be closed by the Planning Board before they can make any determination.

The Board should have the applicant complete the Traffic Study and have it reviewed before the Board completes its SEQRA review.

Application was returned to PB by ZBA for SEQRA determination and completion of subdivision approval.

**Applicant-- here to update the board-- regarding landscaping and lighting-- applicant agrees that the shrubs on the landscape shall be removed-- to maintain line of sight and to push pedestrians closer to the building-- at least one foot of pavers at the curb with a 5 foot sidewalk and another 5 - 7' of landscaped lawn area. -- applicant to remove shrubbery to the terrace level. --Lighting plan to be supplemented -- Board is concerned about the 5 foot bed -- with tree beds-- sugar maples-- residents would want to be shielded from Rte 9W -- Village Planner requested to comment on the landscaping plan-**

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DOT-- Building Inspector has spoken to an individual at NYSDOT -- they had previously contacted DOT with no response-- Joe Taylor-- the Applicant will discuss the project with the DOT and get DOT input

Village Traffic Consultant-- Mike Galante, EVP of FP Clark Associates -- **Project Description** The Traffic Access and Impact Study was prepared for the proposed Gateway Lofts, a 33 dwelling unit residential development comprising of 16 one-bedroom and 17 two-bedroom apartments to be located at the southeast corner of the intersection of North/South Highland Avenue (U.S. Route 9W) and Main Street. Access for residents will be provided along South Highland Avenue in the vicinity of the existing site access. Vehicular access will be provided via a proposed driveway to Main Street along the easterly property boundary and will be limited to right-turn in and right-turn out movements. The basement level parking garage of the proposed development will provide a total of 49 parking spaces. The development is expected to be completed and fully occupied by the end of 2018.

- major concern is the location of the entrance and the exit of this property-- does not meet standards-- looking at NYS DOT-- stopping sight distance-- need 196' stopping distance for a vehicle on Main Street coming over the crest of the hill. The stopping distance uses an industry standard calculated by using the elevations (coming over the hill) and speed - 28 MPH (using the 85th percentile speed) and determined using radar (100 shots and 200 readings at off-peak hours). Off-peak hours are used since there are higher speeds at those hours (not restricted by congestions). There is only about 172 feet distance from the center of the crest at the 9W intersection to the west edge of the driveway-- needs 196' feet. --need to be in the center of the intersection with
- Comments-- Applicant's Traffic Consultant determined that the required Stopping Distance (SSD) (based on the 85<sup>th</sup> percentile speed) along eastbound Main Street is **196 feet and indicated that the distance from the proposed access drive to the centerline of North/South Highland Avenue is 172 feet**, suggesting that the required SSD is not achieved based on the proposed location of the driveway. The Applicant's Traffic Consultant also provides SSD requirements for the average speed (which was found to be below the posted speed limit) of vehicles traveling eastbound on Main Street at the proposed location of the driveway; however, the average speed should not be used as a substitute for the design or 85<sup>th</sup> percentile speed of vehicles on the roadway. The Applicant should provide a detailed profile of this section of Main Street and indicate actual SSD measurements and whether they can meet requirements based on the 85 percentile speed of vehicles and the grade of the roadway for comparison purposes. The Applicant's Traffic Consultant indicated that he had

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*the same speed calculations as Mike Galante based on his own radar readings and agreed with the SSD calculations presented by Mike Galante.*

- *The Applicant determined that the required sightlines, ISD, (based on the 85<sup>th</sup> percentile speed) along eastbound Main Street is 297 feet. A departure sight triangle for traffic approaching from the left (west) should be provided on the site plan for right turns from the proposed driveway on to Main Street. Based on the site plan, it appears that a portion of the parking access and terrace may be within the departure sight triangle which should be clear of obstructions. Also the Plantings Plan graphically illustrates landscaping along Main Street which may also obstruct sightlines to the left of the proposed driveway.*
- *Based on our field investigation, sightline limitations exist to left (west) on Main Street from the location of the proposed access drive. While the Applicant proposes to set the residential development back from Main Street and demolish the existing retaining wall along the roadway site frontage, motorist's sightline to left will still be limited by the vertical curvature of Main Street and the crown of North/South Highland Avenue. As a result, motorists exiting the proposed right-turn out only access drive will have restricted sightlines to the left and difficulty seeing through the intersection of North/South Highland Avenue at Main Street. A photograph to the left from the intersection of the proposed access drive and Main Street is provided in Exhibit 1; however, it should be noted that the proposed STOP bar and STOP sign will be located at least 10 feet back from Main Street.*
- *As it may be difficult for the Applicant to achieve the required SSD and ISD along Main Street based on the proposed location of the driveway, it is the Village Traffic Consultant's opinion that the Applicant should explore alternative access locations, specifically along Depew Avenue at the southerly property boundary and South Highland Avenue.*

Applicant to investigate other ways to improve and or change access - Are there any traffic control devices that could slow traffic? This isn't an easy question since Main Street is already quite narrow and speed bumps are clearly inappropriate here. Better signage may be the only option -- lighting timing does not help-- because there is red and yellow-- concern is someone being rear-ended-- the no left turn into the check cashing property opposite the site - vehicles exit from this property -- needs intersection vision-- required to make right turn - need 300 feet to get someone out of the Intersection which is too close. One key question is whether the DOT allow a driveway on Route 9W?

**Public Comment--** *Nyack Ambulance Corps Bill McDowell -- please have the Ambulance Service review the elevators with the Building Inspector to ensure compliance with NYS Code.*

**BOARD--** project remains open-- Applicant to further explore options for safe ingress/egress from the property since the Planning Board is not inclined to overrule the village's traffic consultant's finding that the present site plan would not meet safety standards. Applicant is requested to come back with a solution to the access issues which can change the site plan. Village Planner's landscape review should be held until A new site plan is developed.

**8. 34 Hart Place. Jan Degenshein for Rand. Site plan application to construct a covered front porch. Property is in TFR zoning district.**

**Building Inspector--***Project was well received at a 5/20/2016 pre-application meeting. Applicant, members of PB and ARB agreed that application could appear in front of Planning prior to ARB. Proposal complies with zoning requirements.*

**SEQRA –** *this is a Type II action under SEQRA NYS DEC 617.5 (c) (10) "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; "LWRP – As a Type II action, the Village Code considers this to be consistent with the policies of the Village's LWRP.*

**Front Porch Addition, 34 Hart Place, Nyack, NY** March 17, 2016 Rev. June 6, 2016. The subject residence was built in 1868 and is representative of a Victorian manor house of the era. The home builder, Matthew Watson DeBaun, was extremely well-respected. Part of his imprimatur was the handsome, robustly proportioned spindles on his porch railings. As with many of his houses, a covered front porch was originally constructed as part of the original design. (In the interceding years, a fire occurred, and the original tower and front porch were subsequently removed.) The new owners of the house wish to recall the past by constructing a new front porch to the scale and spirit of the original, with respect for historical reference, code requirements, and present day function. As such, in order to meet code requirements, the spindles in the balustrades must be closer than shown in the attached archival illustrations and photographs. Similarly, the decorative rail along the roof is now depicted slightly higher to meet code standards. Railings on stairs are now required, so the front entrance stair edges have been designed to meet code requirements for continuous protection. Lattice work will obscure the space below the deck. With respect to zoning bulk requirements, the house is set back far enough from the street that it will still meet the yard setback requirements; and the lot is large enough that the floor area ratio remains modest. (See the zoning matrix on the title sheet of the attached plans.) Regarding environmental issues, foundation landscaping will be

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removed and relocated between the porch and the existing walkway. Storm water generated from the additional impervious surface of the full-length covered porch will be diverted to a dry-well under the front lawn. Calculations are attached. During the summer, the roof of the porch will act to block direct morning radiant sun rays from overheating the east-facing rooms on the first floor. Proposed materials of construction and color palette will be provided for consideration by the Architectural Review Board. The applicant wishes to respect the architectural heritage of the house and the community, and appreciates the consideration of the members of the land use boards in the approval process.

**SITE PLAN--** Chairman Klose (seconded by Englander) moves to close the public hearing with respect to Site Plan. Vote 5-0.

RESOLUTION- Chairman Klose moves to accept the Site Plan, seconded by Englander, as set forth by the Architect March 17, 2016 revised June 6, 2016 subject to reasonable conditions to be imposed by the building department, ZBA and ARB, and subject to all exterior lighting to be down facing, with no spillover to adjoining properties approved subject to ARB approval. Approved. VOTE 5-0.

*OTHER BUSINESS-- Motion to adjourn by Chairman Klose, seconded by member Englander-passed by a vote of 5-0. Meeting adjourned at 9:10 pm.*