

**Village of South Nyack
Planning Board Minutes
March 23, 2016**

Present:

Jerry Ilowite, Chairman
Allyson Pifko, Member
Bill Whitehurst, Member
Myra Starr, Member
Scott Fine, Member
Timothy Kenna, Member

Also present:

David Majewski, Building Inspector
Robert Knoebel, Board Attorney
Steve Collazuol, Village Engineer
Sokuna Mam, Board Secretary

Mr. Ilowite called the meeting to order at 7:31pm. This meeting was noticed to the public on March 9, 2016. There were two items on the agenda.

- 1. An application by Malachy Kelly & Melissa Kelly for amended site plan approval for removing dormer and replacing with window.** The premises is a one family dwelling located at 1A Elizabeth Place, South Nyack, NY 10960 and is identified on the Tax Map as Section 66.77-1-10, and is located in a RG-4 Zoning District.

- 2. An application by Natalia Dochim for amended site plan approval for air conditioner condensers and generator.** The premises, a one family dwelling, is located at 20 Terrace Drive, South Nyack, NY 10960 and identified on the Tax Map as Section Block and Lot 65.60-1-12, located in an R-8H Zoning District.

Case #1 – 1A Elizabeth Pl

Appearing: - Malachy Kelly, Homeowner

Mr. Kelly is seeking amended site plan approval for removing dormer and replacing it with a window. He explained that by removing the dormer, it reshapes the front of the house and provides more headroom on the second floor.

Siding material was discussed. **Mr. Ilowite** suggested that the Board may consider a condition that the new sidings match existing.

The roofline and height was discussed.

Mr. Kelly explained that he compared windows to the neighboring houses. The height is allowed by code.

Mr. Kelly explained that he will possibly replace siding and materials will not be exact as the neighboring properties.

Mr. Ilowite said that the siding is not applicable for this meeting and applicant to return to Planning Board. **Mr. Knoebel** said this type of project should be determined by the Building Inspector when he reviews the amended site plan.

Mr. Ilowite noted that in a response dated 03/21/2016 from the Rockland County Department of Planning GML:

- The proposed project will have no adverse impacts on any County-wide interests; this matter is remanded for local determination.

Mr. Collazuol, Village Engineer reviewed his letter dated March 17, 2016.

Zoning:

- The zoning review remains unchanged

Plan Review:

- The amended plans reflect a change to the second floor dormer located in the front elevation.

Mr. Whitehurst said he did not think it was necessary to require the new siding to match.

There was discussion about the back elevation.

David Majewski, Building Inspector commented that the board approved the additions and the applicant is requesting change to the front of the house.

There was discussion about siding to match with the neighborhood and discussion about the materials. **Mr. Kelly** said he was planning to replace all the siding.

There were no comments from the public.

Mr. Kenna made a motion to approve the amended site plan for removing dormer and replacing with window as shown on the plans by Modern Green Home with a print date of 2/1/2016. The premises, a one family dwelling, is located at 1A Elizabeth Place, South Nyack, NY 10960 and is identified on the Tax Map as Section 66.77-1-10, located in a R-8H Zoning District. This is a Type 2 action under SEQRA with no potential for negative environmental impact.

Ms. Starr seconded

Board Vote:

Mr. Ilowite	Aye
Ms. Starr	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye

Mr. Whitehurst **Aye**
Motion approved **5-0.**

Case #2 – 20 Terrace Drive
Appearing: David Scharf, Contractor

Mr. Scharf is seeking approval for amended site plan for air conditioner condensers and generator.

Mr. Ilowite noted that the application was sent to the Rockland County Planning Board for GML review, but no response was received.

Mr. Collazuol, Village Engineer reviewed his letter dated March 17, 2016.

Zoning:

- The maximum total lot coverage allowed is 45%, the existing and proposed indicated is 30% as the Port Cochere is proposed over the driveway. **There will be a slight increase.**

ACCESSORY STRUCTURES By the definition the generator on a concrete pad together with the a/c condensing units appears to be an accessory structure.

1. The minimum front yard setback required is 55 ft., 101 ft. is proposed.
2. The minimum sideyard setback required is 5 ft., 45 ft. is proposed.
3. The minimum total sideyard required is 10 ft., 251 ft. is proposed.
4. The minimum rear yard setback required is 5 ft., 49 ft. is proposed.
5. The maximum height allowed is 15 ft. 6+/- ft. is proposed.

Mr. Collazuol, Village Engineer said the accessory structures for this house complied with the setback requirements.

PLAN REVIEW

- 1) As per Chap. 110-6.14 the maximum equipment noise allowed at the lot line is 50 decibels. The generators and a/c condensing units are downgrade of the dwelling, the decibel levels produced by the equipment should be provided.
- 2) No significant additional runoff will be generated by the concrete pad for these items.

Mr. Collazuol, Village Engineer, noted that the equipment will be screened with plantings such as small arborvitae.

Mr. Ilowite was concerned about the front yard variance. There was an area variance that was granted. **Mr. Knoebel** clarified that this does not affect lot area variance.

Mr. Ilowite was concerned the slight increase of total lot coverage. **Mr. Collazuol, Village Engineer** said that this is de minimis.

Mr. Ilowite asked about the exact plantings. **Mr. Scharf** said the planting would be holly because arborvitae would be eaten by deer.

Mr. Ilowite asked what fuel is used for the generator. **Mr. Scharf** described the generator will run on natural gas. **Mr. Ilowite** asked if there were any issues with running the line off the back. **Mr. Scharf** said there will be no issues.

Mr. Kenna asked has Mr. Scharf picked out the model for the generator and would the generator have a sound proof covering like other operable ones? **Mr. Scharf** answered he's not sure if it's sound proof, but there would be covering on generator. **Mr. Kenna** asked if it would start automatically and start to exercise on its own. **Mr. Scharf** said yes.

Mr. Ilowite asked if the units would comply with the noise ordinance. **Mr. Scharf**, does not know about noise over distance, but under exercise mode its 61 decibels at 23 ft.

There was a discussion about the location of the generator and the slab.

There were no comments from the public.

Ms. Pifko made a motion to approve the application for amended site plan for air conditioner condensers and generator, on plans dated February 19, 2016, prepared by Kier B. Levesque, AIA.

The premises, a one family dwelling, is located at 20 Terrace Drive, South Nyack, NY 10960 and is identified on the Tax Map as Section 65.60-1-12, located in a R-8H Zoning District. This is a Type 2 action under SEQRA with no potential for negative environmental impact.

Mr. Whitehurst seconded.

Board Vote:

Mr. Ilowite	Aye
Ms. Starr	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Mr. Whitehurst	Aye
Motion approved	5-0.

OLD BUSINESS:

Upon motion made by Mr. Kenna seconded by Ms. Pifko, the minutes of the regular meeting of December 16, 2015 were adopted as amended.

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Ms. Starr	abstained.
Mr. Whitehurst	abstained.

Mr. Fine abstained.

Motion approved 3-0.

Approval of the minutes of the regular meeting of February 17, 2016 was postponed.

Upon motion made by Ms. Starr., seconded by Mr. Kenna, and unanimously approved, the meeting adjourned at 8:00pm.

Respectfully submitted:

Sokuna Mam
Deputy Village Clerk

Date Approved: _____