

**Village of South Nyack
Planning Board Minutes
March 15, 2017**

Present:

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

Also present:

Robert Knoebel, Board Attorney
Steve Collazuol, Village Engineer
Sokuna Mam, Board Secretary

Mr. Ilowite called the meeting to order at 7:57pm. This meeting was noticed to the public on March 1, 2017. There were two items on the agenda.

- 1. Continuation of application by Karim Mikhail for site plan approval to remove three trees. The premise is a one family dwelling, is located at 12 Clinton Avenue, South Nyack, NY 10960 and identified on the Tax Map as Section 66.62-2-13, located in an R12 Zoning District**

- 2. An application by Jody Richards & Paul Richards for site plan approval to permit the installation of solar panels. The premises is a one family dwelling, is located 127 Depot Pl., South Nyack, NY 10960 and identified on the Tax Map as Section Block and Lot 66.54-1-26, located in an RG-6 Zoning District.**

Case #1 – 12 Clinton Ave., South Nyack, NY 10960

Mr. Ilowite commented that the Planning Board secretary notified the Board that the applicant requested a continuation to the next Planning Board meeting.

Mr. Knoebel commented that the applicant needed to provide a letter from an arborist. The applicant requested to continue the next Planning Board meeting because the arborist letter was not received.

Mr. Ilowite recommended that the Village hire an arborist at the expense of the applicant, because Mr. Ilowite preferred an arborist to give an objective report.

Mr. Knoebel commented that the applicant signed an affidavit regarding possible additional fees and costs. He suggested that the Planning Board Secretary notify the applicant to arrange access to the property for an arborist to examine.

Mr. Ilowite requested the secretary obtain an estimate from an arborist and that the applicant provide escrow for an arborist chosen by the Village.

Mr. Knoebel asked the Planning Board secretary to find the last consultant that the Board used. If they want to be hired, there will be preliminary questions about what we can expect. He will speak to the consultant about the escrow account.

Mr. Ilowite made a motion that the application be continued at April's meeting contingent upon the Board requesting a report from an independent arborist at the applicant's expense, and notify the applicant that the Village arborist will need access to inspect the trees.

Mr. Whitehurst seconded.

Board Vote:

Mr. Ilowite	Aye
Mr. Whitehurst	Aye
Ms. Starr	Aye

Motion approved 3-0

Case #2 – 127 Depot Pl., South Nyack, NY 10960
Appearing: Russel Wedge, Solar City

Mr. Wedge is seeking approval on behalf of the Richards for site plan approval for the proposed installation of 14 solar panels on the roof of an existing single-family house. The panels will have low visibility except the corner street.

Mr. Ilowite commented that the front of the house faces Depot Pl. The panels will be visible on Brookside Ave.

There was a discussion about placing the solar panels on the house and the visibility from Brookside Ave.

Mr. Ilowite noted that in a response dated 3/10/2017 from the Rockland County Dept. of Planning GML:

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

Mr. Ilowite reviewed Mr. Collazuol, the Village Engineer's letter date March 14, 2017.

Zoning:

South Nyack Code §110-6.1-Screening of mechanical equipment. Equipment located on roof shall be screened as approved by Planning Board.

The solar panels are not by typical interpretation "mechanical equipment" and mount flush with the roof. Should the Planning Board concur then it appears no other Village Zoning Code applies.

Plan Review:

1. The plans do not affect site conditions other than the solar panels are to be mounted on the side/rear roof of the dwelling.
2. The Delta Rapid shutdown box is indicated to be mounted on the roof, this should be clarified.
3. The Short Environmental Assessment Form should be checked, items 2, 3, 4 and 20.

Summary:

We have no objection to the plans.

Mr. Ilowite asked Mr. Wedge to describe the connections and conduits.

Mr. Wedge commented that in October the New York State adopted the 2014 National Electrical Code (NFPA70). The National Electrical Code (NEC) require having a rapid shutdown for emergency response. For an example fire fighters/first responders can de-energize the system with a disconnect switch.

Mr. Ilowite asked Mr. Wedge to clarify which code he's referencing.

Mr. Wedge explained that the codes that he referenced are from the 2014 National Electrical Code (NEC), 2015 International Residential Code (IRC), 2015 International Building Code (IBC), 2015 International Fire Code (IFC) and 2016 New York State Uniform Code Supplement. He explained the AC connect is located on the side of the house.

There was a discussion about the Delta rapid shutdown aesthetics including:

- Wires will be mounted underneath the panels.
- Sizes are 7in. by 5in. by 2in.
- Connections: conduit system connects from the roof

Mr. Ilowite asked Mr. Wedge to describe the conduit system.

Mr. Wedge described the conduit system including:

- Conduit runs on-site with homeowner(s) preference.
- The conduit wires are not labeled on the site plan
- The contractors will try to use the least amount of conduit.
- Pipes are bent on site to fit the contours of the home.
- The contractors will try to hide conduit wiring behind chimneys, gutters and etc.
- The metal conduit will run from the rapid shutdown boxes on the roof, down the side of the home, to the electrical meter and disconnect in the inverters.

There was a discussion about the aesthetics of the equipment including:

- ac disconnect box is about 12in by 7in by 3in
- inverter box is about 24in tall by 8in wide and 3in deep

Mr. Ilowite asked Mr. Wedge if the boxes can be painted to match the house.

Mr. Wedge responded that they cannot paint to match because it will be against the NEC code. He commented that there are other options such as moving inverter inside and ac disconnect has to be outside. He will consult with engineer about placing ac disconnect in the back of the property.

Ms. Starr has no concern.

Mr. Wedge commented that panels have to have 3ft clearance from the meter based on the electrical code.

Mr. Whitehurst suggested to screen the equipment with plants or put it in the back.

Mr. Ilowite asked Mr. Wedge to describe the color of the panels.

Mr. Wedge commented that the color of the panels is dark blue on black frame.

There was a discussion about future solar panels types.

The Planning Board reviewed with Mr. Wedge that Village Engineer is concerned about the Short Environmental Assessment Form items 2, 3, 4 and 20.

The board reviewed the SEQRA short form. Discrepancies were discussed and the agent was instructed to correct where needed.

There were no members of the public present.

Ms. Starr made a motion to approve the site plan to permit the installation of solar panels for 127 Depot Pl., as shown on drawings, dated December 22, 2016 prepared by Solar City; subject to the following conditions:

- Applicant to make corrections on Short Environmental Assessment form and return to Building Department.

The premises is a one family dwelling, is located 127 Depot Pl., South Nyack, NY 10960 and identified on the Tax Map as Section Block and Lot 66.54-1-26, located in an RG-6 Zoning District. This is a Type 2 SEQRA action with no potential for negative environmental impact.

Mr. Whitehurst seconded.

Board Vote:

Mr. Ilowite	Aye
Mr. Whitehurst	Aye
Ms. Starr	Aye

Motion approved 3-0

OLD BUSINESS:

Upon motion made by Mr. Whitehurst seconded by Ms. Starr, the minutes of the regular meeting of October 19, 2017 were adopted as amended.

The Board postponed approval of minutes of the December 21, 2016 until the April 19, 2017 meeting.

The Board postponed approval of minutes of the January 18, 2017 until the April 19, 2017 meeting.

Board Vote:

Mr. Ilowite **Aye**

Mr. Whitehurst **Aye**

Ms. Starr **Aye**

Motion approved **3-0**

NEW BUSINESS:

Mr. Ilowite received a letter from New York Metropolitan Transportation Council (NYMTC).

There was a discussion about making comments for the proposed amendments to the Transportation Improvement Program (TIP) by March 24, 2016 at 4:00pm.

Mr. Ilowite described the New York Metropolitan Transportation Council and federal funding for transportation/state projects.

876173 for Safety – Village of South Nyack Rte 9W pedestrian improvements:

This project will replace sidewalks along route 9W (Hillside Avenue) on the southbound side from Longview Ct to South Franklin Street. The sidewalk will be reconstructed for a length of approximately 1000 ft. The proposed sidewalk will be 4 feet wide with five foot by five foot turnaround spaces interspersed per the American with disabilities act accessibility guidelines (ADAAG) and public rights of way accessibility guidelines (PROWAG). Village of South Nyack, Rockland County. Program code RPS9. Project using earmarked funds from the following demo id number: ny276.

There was a discussion about the sidewalks that will be replaced and other sidewalks that should be replaced.

Mr. Ilowite commented that the Planning Board will inform the Board that the Board of Trustees to have DPW or Board of Trustees make comments to the proposed Transportation Improvement Program Amendments.

There was a discussion about making an amendment to the New York Department of Transportation and improvements will cost more money.

Mr. Knoebel explained to the Planning Board, they can make comments. If the Planning Board decided to make comments, they will be passed along to the Board of Trustees.

Mr. Whitehurst made a motion to adjourn the meeting at 8:31pm, seconded by Ms. Starr, and unanimously approved.

The next meeting is on April 19, 2017.

Respectfully submitted:

Sokuna Mam
Deputy Village Clerk

Date Approved: _____