

**Village of South Nyack
Planning Board Minutes
April 10, 2019**

Present:

Jerry Ilowite, Chairperson
Myra Starr, Member
Cylinda, Whitted, Member
Michael Lockett, Member

Also present:

Robert Knoebel, Board Attorney
Steve Collazuol, Village Engineer
Scott Fine, Building Inspector
Sokuna Mam, Board Secretary

Mr. Ilowite called the meeting to order at 7:48pm. This meeting was noticed to the public on March 27, 2019. There was one item on the agenda:

An application by Rochelle Kornfeld for site plan approval to permit the installation of solar panels. The premises is located at 210 South Franklin St., South Nyack, NY 10960 and identified on the Tax Map as Section Block and Lot 66.61-2-10, located in an RG-4 Zoning District.

Mr. Ilowite noted that the applicant was running late.

The Board agreed to consider other business while waiting for the applicant to arrive.

Old Business:

The Board postponed approval of the minutes of the September 26, 2018 meeting to its next meeting.

Upon motion made by **Ms. Starr**, seconded by **Mr. Lockett**, the minutes of the regular meeting of October 24, 2018 were adopted.

Board Vote:

Mr. Ilowite	Aye
Ms. Starr	Aye
Ms. Whitted	Aye
Mr. Lockett	Aye

Motion approved 4-0

Upon motion made by **Ms. Starr**, seconded by **Mr. Lockett**, the minutes of the regular meeting of November 13, 2018 were adopted.

Board Vote:

Mr. Ilowite **Aye**
Ms. Starr **Aye**
Mr. Lockett **Aye**

Motion approved **3-0**

Upon motion made by **Mr. Lockett**, seconded by **Ms. Starr**, the minutes of the regular meeting of December 12, 2018 were adopted.

Board Vote:

Mr. Ilowite **Aye**
Ms. Starr **Aye**
Mr. Lockett **Aye**

Motion approved **3-0**

Other Business:

1. **GML Review – 72 Summit St., Nyack, NY 10960**

There was a discussion about the Village of Nyack’s referral for GML review of a proposed variance for a pre-existing front yard fence that is higher than permitted.

The Planning Board declined to comment.

2. **GML Review – Town of Clarkstown – Site-plan review for non-residential uses in residential zones**

Mr. Knoebel explained the background of the Town of Clarkstown Zoning Code proposed amendment to reinstate the requirements that non-residential uses in residential zones must receive site plan approval from the Clarkstown Planning Board.

There was a discussion about the proposed amendment.

The Planning Board declined to comment.

3. **Proposed Expedited Review of Solar Energy Systems**

Mr. Collazuol commented that §110-7.9 (B) (2) and §110-7.9 (C) (m) should be made consistent.

There was a discussion about mounting height on flat vs. pitched roofs.

Mr. Ilowite said he will revise the wording.

There was a discussion about soliciting comments from professional solar panel installers.

Mr. Knoebel and **Mr. Ilowite** agreed to draft a memo to the Board of Trustees.

No decisions were made. Discussion to be continued.

Case #1 – 210 S Franklin St., South Nyack, NY 10960

Appearing: Matthew Sprak, Tristate Solar

Mr. Sprak is seeking approval on behalf of Rochelle Kornfield for site plan approval for the proposed installation of 16 solar panels on the roof an existing single-family residence. The system size will be 5.84KW DC STC. The color is dark blue. The solar panels are placed parallel to the roof. There's no glare because of the roof pitch, which is at a 25 degree angle. The electrical meter is in front of the house and the panels are on the back of the house. The conduit will run on exterior roof and walls through the attic to the junction box located in front side. The house is located on a corner.

Steve Collazuol, Village Engineer reviewed his letter dated March 21, 2019:

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

The plans do not effect site conditions other than the solar panels mounted on the rear roof of the structure. The panels have been shown to be installed parallel to the roof surface.

Mr. Collazuol commented that the engineer should base their drawings on the tax map.

Scott Fine, Building Inspector, was concerned about the conditions of the existing roof.

Mr. Sprak explained that the roof is 14years old. If the roof needed to be replaced, the solar panel contractor will remove and replace the panels free of charge.

Mr. Sprak explained about the system capacity and warranty.

Mr. Fine said he will inspect the completed job.

Ms. Whitted made a motion to approve the site plan by Rochelle Kornfeld for installation of solar panels at 210 South Franklin St., as shown on drawings, dated March 5, 2019, prepared Tri-State Solar.

This is a Type 2 SEQRA action with no potential for negative environmental impact.

Ms. Starr seconded.

Board Vote:

Mr. Ilowite **Aye**

Ms. Starr **Aye**
Ms. Whitted **Aye**
Mr. Lockett **Aye**

Motion approved **4-0**

Ms. Starr made a motion to adjourn the meeting at 8:27pm, seconded by **Mr. Lockett**, and unanimously approved

Respectfully submitted:

Sokuna Mam
Deputy Village Clerk

Date Approved: _____