

ARCHITECTURAL REVIEW BOARD MEETING
OF THE VILLAGE OF CHESTNUT RIDGE
WEDNESDAY JANUARY 24, 2018

APPROVED

The Architectural Review Board of the Village of Chestnut Ridge convened in regular session on Wednesday, January 24, 2018 at 8:00 P.M. at Village Hall, 277 Old Nyack Turnpike, Chestnut Ridge, New York.

PRESENT:	Robert Lorenc	Chairman
	Laura Dunlop	Deputy Chairperson
	Michael Scharff	Member
	Paul Van Alstyne	Member
OTHERS PRESENT:	Walter R. Sevastian	Attorney to the Board
	Mary Ballek	Secretary to the Board
	Cheryl Sluys	Recording Secretary
ABSENT :	Virginia Bartlett	Member

The meeting was called to order at 8:00 P.M. by Robert Lorenc, Chairman. Mr. Lorenc said let the record reflect applicants attended a workshop meeting on Tuesday, January 16, 2018.

1. 453 Pascack Road

An ARB Application to consider the architectural design and materials for the proposed construction of a new single-family home.

Section: 63.18 Block: 1 Lot: 2 Zone: R-35

Moses Friedman, Contractor and Mr. Muller, Applicant appeared.

Mr. Friedman presented a rendering and floor plans of the proposed single family house along with a sample of the outdoor lights to Mr. Lorenc and the Board members and said applicant proposes to build a 9100 square foot, single family house.

Mr. Lorenc asked Mr. Friedman to describe the project.

Mr. Friedman said the roof will be asphalt shingles in a rustic black color by Tamco. The stucco siding is minimal white #2310 by Total Wall. The Pella windows are black with black grills. The soffits and fascia by Certainteed are white. The fiberglass doors by Thurmatru are stained. The fiberglass garage doors by CHI are off white.

Mr. Lorenc asked if the Board members had any questions or comments.

Mr. Scharff asked how the house sits on the property.

Mr. Muller said retaining walls in front of the house will be constructed as needed.

Mr. Scharff then said it looks like there are two points of entry to the property.

Mr. Muller said there is an easement from Nicole Way.

Mr. Scharff asked if that easement had been submitted to the Planning Board for approval.

Mr. Sevastian said that has been reviewed by the Village Engineer who determined the ingress and egress are sufficient.

Mr. Scharff asked if the garage doors are overhead.

Mr. Muller replied yes.

Mr. Scharff asked if there is an indoor pool.

Mr. Muller answered yes; in the basement. The interior architectural drawings were discussed.

Mr. Sevastian reviewed ARB responsibilities.

Mr. Scharff then asked if there is lighting along the driveway from South Pascack Road.

Mr. Muller said no lighting has been proposed. We will come back to the ARB if we want to install lights.

Mr. Sevastian said the first step would be to go to the Building Department for a permit.

Mr. Lorenc said they may not want to install lighting right away.

Mr. Sevastian said site lighting can be a condition of an approval.

Mr. Scharff said the photograph shows lights around the dwelling and noted all elements to the exterior need to be included.

Mr. Sevastian said samples of the bollard lights and where they will be installed must be submitted or they won't be there.

Mr. Scharff added the wall mounted lights are also not included. Mr. Scharff suggested applicant put together a summary of all the lights attached to the house.

Mr. Lorenc asked if there were other questions from the Board members. There were none.

Mr. Lorenc opened the meeting to the public.

Jerry Liebelson of 31 Midway Road asked for more clarity on the actual square footage of the house. Calculations for all floors were reviewed.

Mr. Sevastian said he will have the Building Inspector (BI) check floor area ratio (FAR) calculations.

Mr. Liebelson then asked about the nine foot high unfinished attic space.

Mr. Sevastian said this Board looks at structure size; the Board doesn't calculate the structure size.

Mr. Sevastian read aloud a section of the Chestnut Ridge local law concerning ARB duties. The ARB looks at exterior design v. appearance. It looks at the structure size for similarity or excessive dissimilarity to the neighborhood. The ARB can't say the house is too big; make it smaller. We can, however, discuss features to soften the design.

Mr. Liebelson said the intended usage of the structure is a concern. Mr. Liebelson then said there is a study center adjacent to this property and his concern is that at some point the house will be used as a dormitory for students at that study center. This house is a huge structure; its size suggests another use.

Mr. Scharff said the ARB is not an enforcement board.

Robert Asselbergs of 6 Crown Court said he is not against a single family use but it seems there is a lot more to approve than the architecture. He doesn't see why applicant didn't have to go before the Planning Board.

Mr. Sevastian said we are not here to talk about the process. Anyone who wishes to use their property in the municipality files an application including use and dimensional requirements with the BI who determines if the application has to go before various boards. A building permit is issued. The BI does not give legal advice but there is a remedy.

Mr. Friedman said the BI and outside engineering firm have already given comments.

Mr. Sevastian said the village code determines the structure and uses that go with it. There is a land use application and escrow is posted.

Mr. Asselbergs said a New Jersey contractor is being used.

Mr. Scharff said that is permitted with a New York State number.

Mr. Asselbergs said Nicole Way was built 25 years ago with a plan to extend which was never completed. There is no turn around at the end of Nicole Way. It is now permanently dead-ended.

Mr. Scharff said that project site plan was approved 25 years ago.

Mr. Asselbergs said the Nicole Way easement looks like it crosses two properties.

Mr. Sevastian said we don't have the answer to that. It has nothing to do with the architectural review of the proposed structure.

Mr. Lorenc said this discussion is ruled out of order. It has nothing to do with the ARB. The ARB doesn't approve easements.

Mr. Asselbergs questioned the size of the retaining walls, the amount of fill to be brought in and the drainage plans.

Mr. Sevastian said the walls have to comply with NYS Fire and Building codes.

Mr. Scharff said for the record the grading plan is shown. It ties in with the retaining walls.

Mr. Sevastian said everything in the site development plan packet goes to the Building Department.

Mr. Lorenc again said this discussion is out of order; it has nothing to do with the ARB. It is completely outside our jurisdiction.

Mr. Asselbergs said it appears I have no venue to express my concerns, i.e., where the pool drains to, parking for six cars and fire safety concerning the elevator.

Mr. Lorenc repeated this is outside of ARB jurisdiction.

Mr. Sevastian said this house is being built by right. The lots in Chestnut Ridge are big and can support large structures. The BI looks at the application, makes calculations and determines if variances are required. The Planning Board does not get involved in single family houses.

Mr. Liebelson said from my information the BI hold all the cards and asked what, as residents, is our next opportunity.

Mr. Sevastian said there is a process; you are entitled to appeal the decision of the BI who is an administrative official. You can appeal the issuance of a building permit. Waiting to appeal the issuance of a Certificate of Occupancy (CO) is too late.

Mr. Lorenc said you can consult briefly with an attorney re: the next step.

Mr. Sevastian said anyone can build what the code allows. There are strong property rights in this country. The village has a code but it can be changed.

Mr. Asselbergs said his main concern is drainage. It is good the Village Engineer reviews plans. You have to believe someone.

No one else from the public wished to speak.

Michael Scharff made a motion seconded by Paul Van Alstyne to approve the project with the following conditions: 1) The structure is to be used as a single family dwelling; 2) A site/building lighting plan is to be submitted for approval. Upon vote the motion carried unanimously.

2. 4 Hawk Street

An ARB Application to consider the architectural design and materials for the proposed construction of a new single-family home.

Section: 62.08 Block: 2 Lot: 14 Zone: R-25

Steve Saffer, Expeditor, appeared on behalf of Applicant.

Mr. Saffer said at the December 27, 2017 meeting the Board had concerns and adjourned the application. Mr. Saffer then said the workshop was helpful and the materials board has been updated so there is no discrepancy with the exterior materials list. A color rendering of the siding was presented to Mr. Lorenc and the Board members.

Mr. Saffer noted other changes and said the roof height has been lowered; the eyebrow window on the right side has been eliminated. The white PVC trim around the windows has been made wider. A sample of the gray manufactured stone by Eldorado on the chimney was provided. In response to an ARB concern, the lighting is directed downward.

Mr. Scharff asked about the basement.

Mr. Saffer said it is an underground, unfinished basement without exterior windows.

Mr. Scharff asked about specifications for the light fixtures.

Mr. Saffer said the specs were previously submitted. The manufacturer is unchanged but the light wattage is smaller.

Mr. Lorenc asked if the Board members had additional questions or comments. There were none.

Mr. Lorenc opened the meeting to the public.

Jerry Liebelson said he came with a prepared list of questions for the BI and asked if the BI is obligated to answer those questions before a building permit is issued.

Mr. Sevastian said no. The BI looks at plans to see they meet NYS Fire and Building Codes and that the use is permitted. The BI also assesses if variances are dimensionally required.

Magli Dupuy of Spring Hill Terrace questioned the height and width of the basement.

Mr. Scharff said the ceiling is 6 feet 2 inches which is too low for inhabited space. The width is roughly 45 feet by 70 feet.

No one else from the public wished to speak.

Michael Scharff made a motion seconded by Laura Dunlop to approve the project as presented with clarification that the unfinished basement has no exposed basement windows and the first floor is at ground level. Upon vote the motion carried unanimously.

3. Minutes

Michael Scharff made a motion seconded by Paul Van Alstyne to approve the December 27, 2017 meeting minutes as submitted. Upon vote the motion carried 3-0-1. Laura Dunlop abstained.

Robert Lorenc made a motion seconded by Paul Van Alstyne to adjourn the meeting. Upon vote the motion carried unanimously.