

Your application is hereby disapproved by the Chief Building Inspector and referred before the Architectural Review Board for review, approval, approval with modifications or disapproval to be issued a permit by the Chief Building Inspector.

Article V Administration, § 360-5.1 Summary and organization of this article, pursuant to Table 5-1: Summary of Decision-making Authority and Public Hearing.

§360-5.4B. Application Submittal. (5) Fees and Costs.

All Others \$250 Date/Receipt # 4/30/20 Rec# 02438

1 & 2 Family Dwelling \$100 Receipt _____


(b) Recovery of consultant costs. In addition to the development fee, an applicant shall pay all costs billed by the Village for expenses incurred in review of an application, including fees from consultants hired to assist in the review. Escrow funds may be required, at the discretion of the Chief Building Inspector.

(c) Outstanding fees and costs. All fees and costs shall be paid by the applicant prior to scheduling of hearings and/or meetings for any development application. No new applications shall be accepted by the Village until all previous fees and costs associated with an applicant are paid in full by the applicant.

The following documents shall be provided:

- Color photographs of all buildings and structures on the lot and on adjacent properties.
- Color photographs or sample material to be used.
- Proposed project renderings/photographs.
- Provide required and proposed setback.
- Proposed window, doors, siding and trimming details.
- Street furnishings.
- Affidavit that the proposed work and the applicant are authorized by the property Owner (if other than the owner is making the application).
- Project narrative.

DOMINICK R. PILLA
Applicant Print Name


Signature

ARB MEMBERS

§ 360-5.15 Building permit (ARB review required).

B. Procedure.

(1) Step one: Application submittal. Applicable, with the following modification: Applications shall be made by the owner or lessee, or agent of either, or by the architect, engineer or builder employed in connection with the proposed work. Where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the proposed work is authorized by the owner and that the applicant is authorized to make such application.

(2) Step two: Determination of application completeness. Applicable. When Planning Board decision is required for the application, the ARB will provide recommendation to the Planning Board.

Completed 12/17/2025 Not Completed

After the Planning Board decision, the application shall be resubmitted to the ARB.

Completed 4/13/2026 Not Completed

(3) Step three: Application referral, review and staff report. Applicable, with the following addition: Any application that requires ARB review shall be approved, approved with modifications or disapproved within 60 days of the date the application is deemed complete. To advance the review either the ARB or the Planning Board can schedule a joint meeting on a application. Each Board will decide only on topics within its jurisdiction.

Complete Date _____ ARB Review Date _____ Approval Date _____

C. Criteria.

In approving the building permit, the Architectural Review Board shall take into consideration the general design framework which respects the scale and architectural character of existing neighborhoods and which will allow development and alterations to be in harmony with and compatible with the existing design and architecture of the Village and not detrimental thereto.

Complies Does Not Complies

In reviewing applications, the ARB shall take into account natural features of the site and its surroundings, the exterior design and appearance of existing and planned structures in the immediate area and the character of the area and the Village

encouraging the most appropriate use of the property, conservation of property values and prevention of harmful effects.

Complies

Does Not Complies

Board may attach more or less weight to any guideline or part thereof in relation to other guidelines as may be appropriate under the particular circumstances.

The Board may approve, approve subject to specified conditions or modifications or disapprove any application for a permit referred to it, provided that such action shall be by a majority vote of ARB members,

Conditions

Modifications

As Presented

_____ to _____
Vote Vote

and provided that the ARB shall not disapprove of any application unless it finds the building, structure for which the permit was applied would, if erected, be so detrimental to the surrounding area as to provoke one or more harmful effects due to:

Approved

Disapproved

_____ to _____
Vote Vote

(1) **Excessive similarity or dissimilarity to any other nearby buildings and structures existing or planned in the area of visual impact, in respect to location and alignment along a street related to neighboring development;**

- architectural massing, width, height, proportion and scale in relation to its surroundings;**
- modulation of vertical and horizontal elements of the facades to reflect the scale of neighboring development;**
- facade design;**
- architectural style;**
- exterior surface materials;**
- heights of horizontal building features such as sill levels, lintels, cornices, etc.;**
- roof design, including roof elements such as dormers;**
- porches and porticos and other attachments and projections; and**
- rhythm or spacing and proportion of windows, doors, storefront and other aspects of building fenestration;**

- **the nature of building trim and ornament;**
- **visibility of mechanical equipment, and other design elements.**
- (2) □ Inappropriateness of design in respect to the quality of architectural design;**
- **to the nature of materials to be used in construction; and**
- **incompatibility of design features with the terrain on which it is to be located.**

D. Amendments to the application or to the plans and specifications accompanying the same may be filed at any time prior to the completion of the work, subject to the approval of the Building Inspector if minor. If major amendments, they are subject to the approval of the ARB.

BUILDING DEPARTMENT USE ONLY

Application's conformance and Staff Report: This application conforms to the Local Zoning and Planning Law of the Village of Nyack. **Applicant is seeking approval to demolish the existing gas station and construct a new 3-story mixed-use building to include:**

- 18 dwelling units (4-studios, 12 (1) bedrooms and 2 (2) bedrooms
- 4 ground-floor retail spaces
- Underground garage with 16 parking spaces and 6 parking spaces in front of the commercial spaces.

§360-5.4B (6) Outstanding municipal violations. Applications for review and approval of any project shall not be deemed complete while there are outstanding municipal violations pending against the owner, owner's agent, or other entity making such application, where such municipal violations are outstanding against all or part of the premises which is the subject of the application.

No Violations **Violations Pending (see attached)**

§360-5.4C. Determination of application completeness. After receipt **one set** of complete submittal of the development application, the Chief Building Inspector shall determine whether the application is complete and ready for review.

(1) If the application is determined to be complete, the applicant will be notified of the additional number of copies required to be submitted for the application to then be processed according to the procedures set forth in this code. An application will be considered complete if it is submitted in the required form, includes all required information and supporting materials, and is accompanied by the applicable fee. The determination of completeness shall not be based upon the perceived merits of the development proposal.

Date: 4/30/2026

(2) If an application is determined to be incomplete, the Chief Building Inspector shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected in a future resubmittal. The inclusion of false information in an application is grounds for determination that the application is incomplete.

Date: _____

§ 360-5.4D Application referral, review and staff report. After determining that a development application is complete, the Building Inspector shall process the development application as follows:

(2) Applications requiring multiple reviews or referrals.

(a) Development applications that require review by multiple decisionmaking bodies shall be scheduled for review in the following order, unless a different order is agreed to by both the applicant and the decisionmaking body with final decisionmaking authority: [Amended 6-13-2024 by L.L. No. 5-2024]

- [1] Building Inspector.
- [2] Planning Board.
- [3] Architectural Review Board.

§ 360-5.2C(4) Powers and duties. The ARB shall have the following powers and duties:

■ (b) Hear and decide requests and impose reasonable conditions pursuant to § 360-5.15 for building permits for the construction or alteration of any structure or item within the Village of Nyack that would affect the exterior appearance or would be visible from the exterior, except for site grading and landscaping, but including:

- [1] New construction.
- [4] Mechanical equipment visible from the street or adjacent property.
- [5] Street furnishings.

Decision-making authority & Public Hearing pursuant to §360-5.1, Table 5-1

(I) Retain counsel clerks secretary engineers architects landscape architects Historic Preservationists Planners to assist the Board in the conduct of its official business.

§ 360-5.4E(3)(c). Posted notice. The applicant shall post notice on the property at least 10 days before the scheduled hearing date. Such notice shall be of a dimension, design and materials as required by the Building Inspector. Notice shall be posted every 20 feet along the front yard, and one additional notice shall be posted conspicuously on each side yard and rear yard property line.

Notice was posted on: _____ Posted notice photo

Date application e-mailed to applicant: 4/21/2026

Date application received by the Bldg. Dept: 4/30/24

Date application is determined to be complete: 4/30/2026

Date of ARB meeting: 5/20/24

PUBLIC COMMENTS: Opened _____ Closed _____
Date Date

APPROVED: _____ to _____
Date Vote Vote

REFERRED: PB ZBA NO

DISAPPROVED: _____ to _____
Date Vote Vote

FOR THE FOLLOWING REASONS: _____

MANNY A. CARMONA
Chief Building Inspector