



**Architectural Review Board**  
**Department of Planning & Community Development**  
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Shawyn Patterson-Howard  
Mayor

Robin Myers  
Acting Chair

**ARCHITECTURAL REVIEW BOARD**

**MEETING MINUTES**

**FOR APRIL 24, 2023**

A regular meeting of the Architectural Review Board was held on Monday, April 24, 2023 at 6:30 PM in the Memorial Room on the 2<sup>nd</sup> Floor in Mount Vernon City Hall.

**ITEM #1 - ROLL CALL -** The Acting Chair, Ms. Robin Myers, called the roll: in addition to the Acting Chair, the following Commissioners were present: Sylvia Woods, Linda Sanchez, as well as newly appointed Commissioner Buzz Riley.

Also attending were Deputy Commissioner Marlon Molina, William Hyland, Senior Planner, and U. Nkechi Nwachukwu, land use counsel.

With a quorum present, the Acting Chair opened the meeting at 6:30 PM.

The meeting was live streamed on CMVNY Facebook.

**ITEM #2 - APPROVAL OF MINUTES**

The March 22, 2023 minutes were approved. Commissioner Woods made a motion to approve the minutes, seconded by Commissioner Sanchez and approved by a vote of 3-1 (Commissioner Riley abstained from voting; he was not present at the March 22 meeting.)

**ITEM #3 PUBLIC MEETING**

**New Public Hearing**

**3.1 115 South Macquesten Parkway (Section 164.75, Block 1060, Lots 1, 2, 3, 6, 8 & 29) in the MVW Hub Zone.**

**Request for a one-year extension of Certificate of Appropriateness Approval**

The Architectural Review Board received an Affidavit of Sign Posting stating that on April 6, 2023, a sign was posted at the site giving notice of the Architectural Review Board's April 24, 2023 meeting. The Board also received photographs showing that the sign posting on the property was provided with notice of the April 24 meeting.

The Applicant is the NRP Group, LLC which is seeking a one-year extension of the certificate of appropriateness approval for the development. Applicant has provided a letter dated March 14, 2023 requesting a one-year extension of the certificate of appropriateness approval for the development. The ARB approved this certificate by motion at its April 27, 2022 meeting, and a resolution was signed by the Planning Administrator on April 27, 2022. Applicant is requesting a one-year extension through and including April 27, 2024.

The certificate of appropriateness allowed the applicant to build a mixed-use transit-oriented development consisting of two residential towers containing a total of 315 residential units, approximately 4,833 square feet of commercial space, approximately 1,952 square feet of amenity space, and a community facility containing approximately 8,380 square feet. The approval also included 273 parking spaces and related infrastructure.

There have been no changes made to the previously approved site plan nor have there been any changes in the surrounding area. The applicant is seeking the one-year extension to obtain a building permit for construction of the project given the complexity of the various aspects of the project to date.

SEQRA Determination – the ARB considered this application for an extension of time as a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.5(26) ("routine or continuing agency administration and management"), thereby ending the SEQRA Process.

David Gross, the architect for the project, was present at the meeting.

The Chair asked if there were any changes to the plans and if the applicant had any thoughts about making adjustments. She suggested that a minor alteration to the exterior to grant more shading to the windows would also save money.

Commissioner Riley asked if there were any opportunities to embellish the building by adding retail elements in the future. He also inquired whether the roof area would be constructed to potentially support more green spaces and sustainability.

David Gross indicated that the developer would be interested in more retail space in the future, but not at the current time. The developer would also construct the roof area to support green space and sustainability.

Commissioner Woods asked what was causing the delay in the process.

**David Gross**, on behalf of the attorney, said that it's taken a long time to get the project up and running due to the economy and affordable housing subsidies.

A motion to approve the extension was then made by Commissioner Sanchez, seconded by Commissioner Riley, and approved by a vote of 4-0.

#### **ITEM #4 ADMINISTRATIVE ACTION**

##### **4.1 Discussion and review regarding solar panel applications**

**Deputy Commissioner Marlon Molina** provided an overview on the City's revised solar permit process, which has two objectives: the City wants to be more green and sustainable and, in an effort to help the Building Department process the solar applications, the City is looking to streamline the process with a Unified Solar Permit, similar to what has been established in Yonkers, New Rochelle, Nyack, and other towns. By doing so, the City would also gain more points with NYSERDA by potentially applying for higher grants (e.g. electric vehicle stations). With the unified application, it would be just one process via New York State that would make it easier for the Building Department and the resident to obtain a solar panel permit. The Planning Department will be working with the Building Department to draft legislation to go before the City Council and the ARB can submit its comments if it wishes before the ordinance is adopted.

**Chair Myers** asked some questions regarding incentives through solar panel companies and would they be offered to both residential and commercial customers (currently they are). She also asked if the customer would still sign up through the solar companies.

**D.C. Molina** explained that yes, they would, but then all applications would still have to go through the City before installation.

**Chair Myers** expressed concern regarding the aesthetics of the installations and asked if the applications would still be done administratively. She also stated that the ARB would want input regarding the ordinance.

**Commissioner Sanchez** asked if there would be any outreach to residents regarding solar panels so they are made aware of what companies would be permitted to install them and to prevent illegal installations.

**Commissioner Woods** noted that the City can promote solar panels to residents as a way to save on utility costs, but the public must be educated so that they know what they are signing up for. There should be standards and contracts that can be presented to the homeowner so that they have an understanding of how they will save money.

**Commissioner Riley** asked whose responsibility it is for due diligence on researching the protocols in existing communities and whether the City Council will take that information into consideration.

**D.C. Molina** responded that there is a codified New York State regulation and that the ARB will have input regarding legislation.

**Commissioner Sanchez** noted that, in her experience, people who install solar panels don't have that much awareness of the regulations or knowledge of the process other than the notion of saving money and expressed concern that the ARB would be losing its power regarding the solar applications as there have been abuses.

**Chair Myers** noted that there can be a predatory approach to homeowners, who may not have sufficient time or knowledge to educate themselves, from the solar companies. She said that the ARB previously served as a roadblock to solar companies trying to take advantage of homeowners. She said without a checks and balances approach, they will be more vulnerable.

**Commissioner Riley** suggested that, to prevent predatory activities from happening, protective elements should be incorporated into legislation.

**Commissioner Sanchez** suggested having a meeting at City Hall with representatives from the solar companies meeting, homeowners and officials, perhaps in conjunction with homeowners associations.

**Chair Myers** suggested educating the community with guidelines regarding what to expect and/or watch out for, including a webinar on the website, and printed posters that would be hung in public places (e.g. library, Doles Center, etc.), and given to entities such as real estate brokers.

**Commissioner Woods** questioned the different qualities of solar panels while **Commissioner Riley** felt that solar shingles were more aesthetically pleasing. He also noted that senior citizens on fixed incomes could be especially vulnerable.

### **Meeting Adjournment**

There being no other business, the Chair asked for a motion to adjourn the meeting.

**Commissioner Woods** made a motion to adjourn the meeting, seconded by **Commissioner Sanchez** and carried by a vote of 4-0.

The meeting was adjourned at 7:01 pm.

**Maria Pace**  
Land Use Secretary

**Bob Galvin, AICP**  
Planning Administrator