

RESOLUTION
TOWN OF OSSINING ARCHITECTURAL REVIEW BOARD (September 2, 2020)

Application of Cliff Neto
Property: 53 Ganung Drive (Section Block and Lot 90.14-1-40 and R-20 Zone)

Resolution of Architectural Review Approval

Background

WHEREAS, Cliff Neto (the “Applicant” and “Owner”) is seeking Architectural Review Board (ARB) approval to construct a two-story addition onto a single-family house at 53 Ganung Drive, Section Block and Lot 90.14-1-40 (“Project Site”).

WHEREAS, the Architectural Review Board confirms that the project is categorized as a Type II action under NYS DEC 617.5 (c) with the “construction or expansion of a single-family, a two-family or a three-family residence on an approved lot”.

WHEREAS, the Applicant had made a preliminary presentation to the Architectural Review Board on July 15, 2020 and, thereafter, the Architectural Review Board conducted a duly noticed public hearing on August 19, 2020 and continued the public hearing on September 2, 2020.

WHEREAS, The Architectural Review Board has carefully examined the Application and the Applicant’s materials as follows:

- a. Architectural Review application dated July 6, 2020;
- b. Material details and photographs received July 7, 2020 and July 27, 2020;
- c. Pool Plan by SJF Engineering Services dated January 20, 2020;
- d. Stormwater Report by SJF Engineering Services dated July 22, 2020; and
- e. Architectural Drawings by Demasi Architects dated June 26, 2020 and revised July 17, 2020.

WHEREAS, the Architectural Review Board has also reviewed and examined letters, reports, and memorandum from the Board’s consulting engineer, Dan Ciarcia PE, and planner Valerie Monastra, AICP including the following:

- a. Memorandum dated July 13, 2020 and August 3, 2020 from town planner;
and
- b. Memorandum dated August 19, 2020 from the town engineer.

WHEREAS, the Architectural Review Board closed the public hearing on September 2, 2020. At the Architectural Review Board's September 2, 2020 meeting, the Board deliberated in public on the Applicant's request for approval.

Architectural Review Board Determination

NOW FOR IT BE RESOLVED, the Architectural Review Board determines that based upon the findings and reasoning set forth below, the application for Architectural Review Board approval are granted subject to the conditions set forth below.

I. Findings

The Architectural Review Board is familiar with the Subject property and the general vicinity and has reviewed the application in accordance with Chapter 55, Architectural Review Board, of the Town Code.

The Architectural Board has conducted an extensive review of the Applicant's proposal and finds that the Applicant has satisfactorily addressed the criteria for granting Section 55-8 of the Town Code.

In accordance with Section 55-8(A) the Architectural Review Board finds the Application took into account the natural and man-made features of the site and its surroundings, and the character of the zoning district and its peculiar suitability for particular purposes, with a view to conserving existing values and encouraging the most appropriate use of land.

Further the Architectural Review Board finds that the project meets Section 55-8 (B) and the Project:

- a. would be in harmony with the purposes of this chapter,
- b. would not be visually offensive or inappropriate because of the poor quality of exterior design;
- c. would not constitute monotonous similarity or visual discord in relation to the site or its surroundings;
- d. would not mar the appearance of the area, would not be detrimental to the character of the neighborhood; and
- e. would not prevent an appropriate development and utilization of the site and adjacent lands.

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Architectural Review Board and approved by the Architectural Review Board as follows:


- a. Architectural Review application dated July 6, 2020 which contains colors and materials;
- b. Plans by Pool Plan by SJF Engineering Services dated January 20, 2020; and
- c. Stormwater Report by SJF Engineering Services dated July 22, 2020 and last revised XX
- d. Architectural Drawings by Demasi Architects dated June 26, 2020 and last revised July 17, 2020 entitled "1 of 5" through "5 of 5".

III. General Conditions

- a. Prerequisites to Stamping Final ARB Plan and Issuance of Building Permit: The following conditions must be met before the Architectural Review Board Plan ("Final ARB Plan") is stamped and a Building Permit is issued:
 - i. The Architectural Review Board's approval is conditioned upon the Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.
 - ii. If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Town Engineer and Town Planner, they shall also be considered "Approved Plans."
 - iii. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Architectural Review Board review of this Application.
 - iv. The Applicant cannot install a kitchen or use the addition as an accessory apartment without obtaining the proper required approvals per Section 200-31.2.
- b. Force and Effect: No portion of any approval by the Architectural Review Board shall take effect until (1) all conditions are met, and (2) the Final ARB Plan is stamped by the Building Department.
- c. Field Changes: Any further modification of the subject premises beyond those approved herein shall be subject to further Board review and approval. The Applicant is subject to all permits, time limits, and applicable fees as set forth in NYS Town Law and the Town Code.

- d. Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule.
 - e. Prior to Issuance of Certificate of Occupancy: The Building Inspector shall inform the Board of the Applicant's request for a Certificate of Occupancy and the Board reserves the right to make a field inspection of the site prior to the issuance of said Certificate of Occupancy, and to require any reasonable modifications to site details, which modifications shall be a condition of said Certificate of Occupancy
- IV. Specific Conditions: The following conditions must be met before the Planning Board Chair may sign the approved ARB Plan ("Final ARB Plan"):
- a. A revised stormwater report that addresses all outstanding comments to the satisfactory to the Town Engineer.

Dated as of September 2, 2020


Chairman

Motion by: Carolyn Stevens

Seconded by: Jim Bossinas

In Favor: 5

Opposed: 0

Abstaining: 0