



Architectural Review Board
Department of Planning & Community Development
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Ernest D. Davis
Mayor

John Humbach
Chair

MEETING NOTICE
ARCHITECTURAL REVIEW BOARD
PUBLIC MEETING

A regular meeting of the Architectural Review Board was held on Wednesday, **May 23, 2012** at **6:30 p.m.** in the Memorial Room, Second Floor, City Hall, Mount Vernon, NY:

The Board Members present were:

- Chairman Humbach
- Board Member Dias
- Board Member Meyers
- Board Member Fenniman

The Chairman calls the meeting to order.

ITEM # 1 APPROVAL OF MINUTES

- 1.1 Approval of the minutes of the regular meeting held on Wednesday, November 30, 2011.
- 1.2 Approval of the minutes of the regular meeting held on Wednesday, December 21, 2011.
- 1.3 Approval of the minutes of the regular meeting held on Wednesday, January 25, 2012.
- 1.4 Approval of the minutes of the regular meeting held on Wednesday, April 25, 2012.

The Chairman reads the above stated agenda items into the record. Chairman request a motion to approve minutes from board members: Minutes for April 25, 2012 was approved.

ITEM #2 CONCEPTUAL PLAN

2.1 Case No. 10-2012 637 South Eighth Avenue (Section 169.54, Block 3061, Lot 35) located within the R2-4.5 zoning district.

Application of Carmen Kinkhead, by engineering Bailey's Engineering is proposing to create new fenestration along the rear elevation.

The Chairman reads the agenda item into the record. The applicant did not show.

ITEM # 3 CERTIFICATE OF APPROPRIATENESS

3.1 Case No. 8-2012 22 Brookfield Road (Section 165.26, Block 2142, Lot 4) located within the R1-7 zoning district.

Application of Westchester Muslim Center, by Architect Mohammad Badaly is proposing to construct a one-story addition on an existing place of worship located within the R1-7 zoning district.

SEQRA DETERMINATION: This action is an uncoordinated review and classified as an "Unlisted Action"; wherein, the Architectural Review Board must render a SEQRA Assessment prior to deliberating on this matter.

The Chairman reads the agenda item into the record. The applicant, (represented by Mohammed Badaly: Architect), was called up by the Chairman to present the proposed project. Mr. Badaly responded to a concern expressed by a neighbor that the sign was posted approximately 20' feet from the curb which made it difficult to read. The Chairman advised that the neighbor's objection to the location of the sign should be addressed by Mr. Badaly. Mr. Badaly stated that he personally posted the sign and did a follow-up check after posting it to ensure that it was installed within the specified location as required by the City's Ordinance. He explained that the sign was approximately three and one half feet back from the property line and he clarified that the curb line and the property line were different classifications in responding to the neighbors concerns about the distance in which the sign was posted from the street. He also stated that in relation to similar concern raised by the neighbor about the sign at the previous hearing. Mr. Badaly further states the sign was placed appropriately; however, at that time he did not argue because he was not sure that it was located properly. Mr. Badaly presented pictures to justify his claim. The Chairman referenced the Board's Rules of Procedure to authenticate that the sign was posted correctly based on the pictorial display presented by Mr. Badaly. The Chairman entertained further comments from neighbors: Ms. Anita Weiss stood up and introduced herself as the president of the Pasadena Citizens Association. She complained about the visibility of the sign as well as the extent to which the Mosque has intruded on the neighborhood over the last fifteen to eighteen years, as a result of its growth in membership beyond the capacity of the neighborhood to satisfactorily cope with it. She stated that the homeowners had been experiencing great financial loss as a result of the mosque being located in her neighborhood. She also stated that her position taken against the proposed improvements of the mosque was not personal being that she has always enjoyed a good relationship with the members of the Mosque; however, she was of the feeling that the membership has grown to the point where the neighborhood is being overwhelmed. She stated that especially on a Friday at approximately 1:45pm to 2:30pm, the area resembles the South Bronx due to the overwhelming numbers of attendees to the Mosque and in the event of a fire there could be presenting challenges to save the lives of occupants who could be trapped in the Mosque. She expressed that to increase the mosque's viability would hurt the neighborhood.

The Chair expressed that the neighbor's concerns are legitimate even while Mr. Badaly's information was also correct and not being doubted by the Chair. The Chair expressed that the Board's purview

was to review the proposed addition in spite of the “site plan review” impacts that the mosque creates on the neighborhood. The chair stated that the visual impact of the addition specifically was within the purview of the Board and not the other concerns such as overcrowding as expressed by the neighbors. The other impacts that the neighbors presented fell under the jurisdiction of the Zoning and Planning Boards or the City Council.

Neighborhood resident, Mr. Scully presented in support of the neighbors stating that he lives on the street that is directly east of Brookfield Avenue, which is Del Ray Drive. He expressed concern as to whether the proposed development is an As-of-Right Development. He also wished to know whether at some point the matter would be presented to the Planning Board for Site Plan review and also queried whether the Architectural Review Board would be the only Board weighing in on the issues. He was also of the view that the presence of the mosque in the neighborhood over the past eighteen years has now overwhelmed the neighborhood not only in terms of the mass and scale of the structure but the large numbers of individuals who show for a variety of different activities that include prayer and other ancillary services such as school attendance on Fridays and during Ramadan.

Chair: I hope you are going to get around the issue of the sign here.

Scully: I understand but I guess for your indulgence.

Chair: how much indulgence cause we do have to be fair. You want to speak now or later on?

Scully: Yes I am going to continue. I understand the limited authority of the Architectural Review Board but I need to know in addition to the authority what else this Board brings to bear on this project for the approval of what’s being proposed.

Is this as of right, will this application be presented before the Planning Board for Site Plan Approval? We obviously need to know, or, is this application being placed before this Board for Site Plan approval?

Chair: I don’t know.

Mr. Long: In answering that Mr. Chair, it’s the Building Department through the Plan Examiner’s Report that indicates and dictates what Boards are necessary in order for an application to get a Certificate of Occupancy. In this instance, the Building Department indicated that only the Architectural Review Board is necessary.

Scully: So if this is an “As-of-Right” we would have to file an Article 78 appropriate to the approval that was issued by the Building Department.

Board Member Myers concurs also that the Building Department was the source through which the approval was granted to clarify further the information presented by Mr. Long. Mr. Scully stressed that the filing of an appropriate Article 78 could be the intent of the neighbors because the mosque had completely overwhelmed the neighborhood to the point where people are paying from \$25,000 to \$40,000 in real estate taxes in an area of Mount Vernon that is considered to be a quiet, affluent, upscale location that has completely eviscerated the home owners’ property values in that neighborhood.

Chair: I don’t think we can take that issue as it does not fall within our purview as a Board.

Scully: Well, I think you can take it up to the extent that the Architectural Review Board has to look at the density of the addition on this site.

Chair: If we were to do that they could argue the Article 78, it’s just not something that we do as a Board. It’s just not something that this Board has the authority to do.

Scully: Well then I will have to request a copy of the Plan Examiner’s Report because we are going to challenge this entire expansion or we have to have the Building Department subject to some type of judicial review.

Chair: I understand.

Neighbor: Mr. Scully what about the deed restriction for the entire neighborhood?

Mr. Scully: Well the problem is that this is a Special Use Permit so that restriction does not hold.

Chair: And religious uses are proffered under the constitution but there is also Federal Law that limits the extent to which they can be challenged in these issues. Religious institutions get a lot of latitude.

Scully: Well they don't get so much latitude that they cannot respect the character of the neighborhood.

Chair: And we are crucially aware of the need to support property values in Mount Vernon. But we can't do just anything to do that, we can only do architecture. That's all we are authorized to do. If we try to do something else well, they could argue an article 78.

Scully: Well professor, in Architecture there is the proposition of size and scale.

Chair: Ah boy! We're too aesthetic

Scully: Size and scale is very important because you can't have a structure that so overwhelms the character of a neighborhood that it's out of scale.

Chair: That's true.

Scully: So I will ask the Board to take that into consideration.

Scully: You look at the type of housing that's in this neighborhood and you contrast it with the size and scale of this location and it completely overwhelms this neighborhood. You just have to look at for instance the view from this gentleman's (neighborhood resident) backyard.

Chair: I understand that, I understand!

Scully: He has a very pretty yard and it's just as though you are looking out into a Manhattan Parking Lot.

Chair: We will consider that.

Scully: I think the size and scale concept is very important to take into consideration.

Chair: Well it is, but the only problem with that argument is that, that would mean that there would be no churches and places of worship; we have to take into account the use. We can't just say we can have a mosque so long as it is no bigger than a single family house.

Board Member Dais: I think that everybody will have their opinions when we vote.

Chair: OK

Board Member Dais: It's a problem if you can't walk in your neighborhood or park your car.

Scully: Case in point on Fridays when persons or whatever you call them show up to worship they park on either side of the street throughout the entire neighborhood. They park in your walkway and your drive way. I have not been home on a couple of occasions and when I come home to have my wife tell me that they are verbally abusive towards her. That's how aggressive these folks are.

Ms. Weiss: I am a pretty fair minded individual and I live on this street for 40 years so I think I am pretty intelligent. I sold real estate for thirty five years. The Imam has been nothing less than fabulous to me so this is not a personal issue. The issue becomes safety. Last Friday, I was going out somewhere and I had to delay showing my house. I was in my car about two blocks from the mosque and there was another car that prevented me from proceeding and would not move to the right or the left. I had to literally shut off my engine, that's how upset I was. If you see what goes on at Brookfield Road particularly, you would not believe what you see. Somebody has to listen to the tax-payers that are up to their neck and I don't think the situation is all up to your decision.

Chair: I totally agree with your decision.

Board Member Myers: Have you guys gone to the appropriate place to address this?

Neighbor (Ms. Weiss): We've been fighting this for so many years. Five or six years ago there was a plan before the Planning Board. They proposed to put in islands and pavements and do re-building. The concerns existed from that time. The Planning Board was appalled about what was going on when members of the community testified about the problems we were having at that time and they couldn't imagine that this was happening. They were appalled at the extent to which our properties were being devalued. We experienced problems as a result of speaking up. Those in power acted as though they

were going to get us and they did; all of a sudden our properties began to lose value. So I have to tell you the people of Mount Vernon do not care about their tax payers, they don't care about their image. I have fought for their image for over thirty-five years. I love Mount Vernon and this is killing me... (crying)

Mr. Long: The issue that's on the table right now is whether or not the Board is going to entertain the case.

Chair: I have seen the signs at the appropriate location whether they are there long enough we don't know so the question is are we going to entertain the application.

Applicant: Thank you very much Mr. Chairman and Board Members for my participation. During the last Board Meeting, there were some very good comments about the design of the project which I have taken into consideration; the design, the addition as well other comments regarding the planting around the property. I went and checked the property myself so now I will make a small presentation of what it is we are proposing since two of the Board Members were not here last time. This is the existing mosque and we are proposing an addition that will house bathroom facilities for the mosque since the bathroom facilities are not adequate. Currently there is one bathroom facility for the ladies on the first floor and just a small bathroom for gentlemen on the second floor. One of the reasons why there is a need for adequate bathroom space is that Islamic Rules requires such kinds of facilities.

Board Member Dais: I know that rule.

Applicant: Since you have already mentioned how you are going to vote why I am I going to make any presentation? This is very unfair. Mr. Chair I really would love to voice my frustration for this.

Chairman: Proceed with your presentation.

Applicant: As I was saying in the Muslim tradition there is a ritual before praying that requires the washing of hands and face and that is why the bathroom facility that is required is of the kind described. I have one other comment...

Board Member Fenniman: Do you have a plan for the cellar

Applicant: The cellar is just going to be open space, we are not proposing anything. It is really a hard part of the ground so this really just to propose the bathroom facility.

Board Member Fenniman: So what's the use of it? How does it relate to the sanctuary space?

Applicant: There is some storage and at the moment there is the ladies bathroom, there is some classroom space. I believe, that is my recollection of what uses are in the basement presently.

Board Member Fenniman: Have you done some kind of study to see how you could accomplish all of that in the storage space requirements?

Applicant: Well probably with eliminating the uses that was there we could have accomplished it but it could not be handicapped accessible because there is presently a ramp to the first floor sanctuary and the bathroom facility needs to be for the first floor sanctuary so that's why the whole project started.

Board Member Fenniman: Would a mechanical system be helpful to make the project handicapped accessible?

Applicant: I believe so but that is not the project that is before us.

Chair: I understand, I understand.

Applicant: I am a sure that there are ways of eliminating a certain area and provide different spaces that we might need but there is room for other accessory uses.

Board Member Fenniman: Do you know the size of the sanctuary?

Applicant: I don't know off the top of my head, I believe that it is roughly a fifty-foot radius building.

Board Member Fenniman: The available parking now is 61 spaces what would be the requirement for that space?

Applicant: There is no parking requirement for the addition that we are proposing

Board Member Fenniman: I understand that but what would be the requirement for the existing building, is it in conformance?

Applicant: It is in conformance yes the Parking requirements are met.

Board Member Fenniman: Can you state that for a fact?

Applicant: The parts of the zoning that the Building Department requires us to illustrate for them are the parts that have to do with our project; if any existing, whether conforming or non-conforming part of the building we are not required to fully analyze those parts usually for the Building Department.

Chair: You're not expanding the non-conforming use of it?

Applicant: No, this project requires no zoning variance or Planning Board review. It is just a bathroom addition to an existing building.

As I was saying, there was a question last time regarding the location of the bathroom. One of the Board members requested that I go and see if there are any trees or anything in that area. I went and looked at it and there are no trees. I also located all the trees that are around the addition. Also when I standing in this area I was looking in every direction and really these hedges are pretty tall and cover well. This is one area that I felt some additional landscaping can be very beneficial and in this area I propose as was mentioned in the last Board meeting to look into landscaping and screening, so I am proposing planting trees that will grow about fifteen to sixteen in about five years or so and that will basically hide the view from this house to the addition.

Chair: Are there spaces between the existing trees still?

Applicant: Well there are but at the moment there are a lot of bushes and trees in this area as I have shown, that basically provide some coverage. My concern was the addition, not the rest of the property because the rest of the property is not something that is part of this proposal. I promised during last session that I would provide a shape that is more round than this first shape that I had proposed, as well as there were comments regarding the windows, to provide the kind of windows that would mimic what is existing there right now which is what I have proposed for this property. Any further question I would be more than happy to answer.

Board Member Fenniman: What are the numbers of other structures on the property?

Applicant: There is a shed at this location that we are proposing to be removed. There are two structures here and here which I think are for meeting rooms and classrooms respectively. To tell you the truth I haven't gone to the mosque so regularly, my assistant is the one who usually visits so I don't know exactly how they are used but I do recall when they met with me they met me there.

Board Member Fenniman: Let me ask you this, one of my concerns is the parking abstract I know that's in part planning but it does impact the usage of the space and just reviewing testimony from the public it seems like based on the calculations that you have of sixty-one spaces that just doesn't do it and to do anything to increase the building I think is a disservice to the community in that regard so my feeling is you really need to try to work to internalize the additions in the spaces that you have.

Board Member Dais: I really love your work but I don't like that picture.

Applicant: That's an old picture I have revised it

Board Member Dais: But it has something sticking out.

Applicant: I totally changed it. The new design is totally changed.

It still looks like something is sticking out of the circle I think when he uses the word internalize it might be what I am thinking of, it just that it is out of nowhere; before you even get to the parking issue I would revise the use of the parking lot to alleviate some of the parking and the crowding of the street cause it's not just the religious aspect of it I am trying not to jump on the religious aspect but it's not just about Friday nights, it's all sorts of problems during the day but it's just not attractive; this one or that one it got to be a better way to do it, I don't see the beauty, I don't see it and I really love your work

Applicant: Thank you very much. I also take note of your concerns regarding the parking but that is the parking requirement based on the capacity of the sanctuary which dictates how many people the we can hold and that is one of the reason why this project is not subject to any planning board meeting because the capacity of the sanctuary is not changed.

Board Member Fenniman: Having other structures on the property makes that those other structures require additional parking too.

Applicant: Absolutely but this proposal does not increase the parking requirement of the property as far as Mount Vernon Zoning Code is concerned.

Board Member Myers: I was there recently and I had a chance to be in the neighborhood and I was a bit floored at the decline of the neighborhood and I don't know what that's attributed to but the houses there are not what I recall in terms of maintenance but what I did notice in terms of looking at the property that's literally in the backyard is that you can literally see this property there isn't any shielding and I have a question about the way that the building; as it stands its kind of very close to the street but the main part of it is a bit expansive so I was wondering cause it just seems a little lop sided that everything is crammed into this one area that is very much impacting the residences, and then there is the rest of the property so aesthetically that's my concern and I don't know what the setback laws are and there is probably but I am just concerned about how it's just overly concentrated in that particular area that there is no shielding; there is nothing to kind of buffer the I am just trying to find the right word, but it is a mutual respect I feel like you have a situation that the property has needs and then you have a situation where the community has needs and then I see the property that has needs kind of take more precedence than what the needs are of the community and then I see the impact on that community and its pretty devastating and I think if our job is to kind of make sure that these kinds of things do not occur to the point where they are impacting neighborhoods on a scale where not this particular project or this particular building is the culprit behind this but I am looking at a neighborhood that is in decline and so I am not sure as we continue to let these things happen where does it ends, where do we and what are the parameters and I am just unclear and I am really looking for some guidance here with respect to those points.

Board Member Dais: I think to create some of this space which can be used as parking space and that is just a tiny issue for some of us but I understand and appreciate in that neighborhood that is supposed to be a neighborhood of homes and if you got this parking lot that is created periodically it seems to me that a parking facility of some sort need to be created to help with the overflow and that's not what before us and if the parking issue is addressed that would alleviate at least one issue that the community has.

Applicant: I fully understand the comments that are made by the Board as well as the comments the members of the public have made and I sympathize and I agree that perhaps again I am not very familiar of what happens on Friday but I think everyone of the people who lives in the neighborhood knows what happens there and perhaps the mosque does require some additional parking to do something better for the neighborhood but at this point I don't know because if the Board is contemplating a recommendation to provide additional parking because of the addition that we are proposing maybe that could be an improvement to the property if that could help. You have made some good suggestions about looking internally within the structure to see if an alternative can be realized.

Chair: I strongly recommend that there needs to be a mediation process between the mosque and the community frankly and I don't know if we're in a position to do this but there is one thing that struggles me from the outset and I haven't been sure what to do with it in my mind and that is the architectural integrity of this structure...

Applicant: You are not happy with it?

Board Member Fenniman: It's a very pure and the structure has a defined logic to it and you have a huge amount of floor plan of the summer space but you have that same space again and I...

Chair: Could you imagine taking Saint Sophia and putting a....

Board Member Fenniman: There is a way to internalize the addition and have an elevator and with the elevator you spend all night I think you keep the purity of what you have in terms of the architecture and....

Board Member Myers: It does not seem very impactful, where is it going to end?
So then it becomes even more impactful and I think it is disproportionate.

Applicant: Yes it defeats the purpose of having the public meeting and this Board needs for all of us to try to put the solution to a problem that the property owners has, it just points that way and I think that we all recognize that every property owner has some rights within boundaries that as long as they exercise their rights and do not disturb others that's why rules like this do exist. I just want to find a happy medium that the Board can be satisfied, the public can be satisfied and the property owners can be satisfied and find a solution. We all have to recognize there is a need for bathroom facility.

Chair: Let me just say this: purely from an architectural point of view I would have a strong preference in maintaining the integrity of the overall circular plan and adding on to that is a beautiful framework there is only so much that you can do when you are doing that to the architectural integrity of the circular nature of the building. On the other hand I recognize and I think everybody here should recognize that even if we could convince them to put the bathrooms in the basement all the problems you are encountering here would still exist; it would not solve any of them and I would like to see those problems solved; I mean it's not really my direct concern but I feel very badly that the problems exist and I think that the mosque is trying to be a good neighbor.

Chair: Imam... Do you represent the mosque? It has become successful but it is having trouble being a good neighbor with the size it is getting to be and unfortunately we are not in a position legally at least to mediate that. I would hope to see some way to figure this out now going back to the Architectural Review Board. I would much prefer to see a solution that maintains the integrity of that building and in other words I guess I am doubting whether there is anything that can be put on there and unfortunately although it is not so visible from the street I suppose that it is visible from the other properties and that is precisely the concern that we have the property owners here and it is visible from the other properties.

Applicant: To calculate my presentation again you took the word out of my mouth. We all recognize the problems that the neighborhood has with the mosque. And as you said doing it a different way does not eliminate any of the problems. Continuing alteration will not be able to solve the problems. To address some of the comments that the neighborhood has made, maybe this can be a place when we can make some improvements maybe we don't make such a big addition, maybe we do something a bit different; maybe we make the men's bathroom a little bit bigger and to keep the ladies' bathroom as it exist now downstairs or vice-versa or however or do something differently and within the same work maybe we can provide a better screening that for example the neighbor has been saying. I have been looking at this parking lot all my life and maybe he does not want to see it, maybe we can screen that better and maybe he is saying that this light how it is positioned is bothering me it's in my eyes all year round... I am just saying that and maybe we can look in to that and collectively and perhaps, all I'm saying if we can all cooperate maybe we can come up with a better solution that helps everybody or at the end of the day. If we do not feel that any addition is appropriate here that's what it is that's what we have to live with. So I'm just saying that I'm trying, as the architect on the project you know I'm just the architect, I have no interest one way or the other I want to do something that tries to bring a happy medium to agreement, if we can find that that's good.

Board Member Dais: Nothing to do with this but maybe if you could provide some funds for the high school on some of those High Days that you need space when school is more or less out by Five O' Clock that you could pay to use some of their space and help alleviate some of the parking in the community but my issue is the way the addition is being done it is just overwhelming to me.

Chair: to the Imam; Do you have anything to say? It could be now or later I mean this isn't your last chance.

Imam: I am the imam for the mosque. I have been there for the last fifteen years, and would say this that the way the mosque is existing now it was never like that. So we have tried fixing the parking lot, planting flowers and cleaning up I even clean up people's garbage. I pick up everybody's and we try our best to do as much as we can do for the neighbors. We did our sidewalks, curbs and we did for the neighbors too and there are some neighbors they just want to complain and they should remember one thing they are not going anywhere and we exist there we are not going anywhere so its better we should live in peace and harmony and love with each other.

Neighbor (Ms. Weiss): One has to say the Imam; I was flooded in September and I called him up he was there I think in ten minutes with a pump and a hose and he helped to pump me out. He has been the most fabulous neighbor and we all play our part would you agree (Imam)? It's not about that the intricacy of what is going on to this neighborhood is beyond that and it's not his doing; you know you have a synagogue they pray on Sabbath and they pray on Hanukah. You have a Baptist Church and they pray on certain days. The truth is this is not that it is their culture they pray five times a day and sometimes it is summer at nights and they are praying and it could be late and you hear it and if you are light sleeper once you're up you're up. And sometimes car horns go off inadvertently they press a button and they are wonderful neighbors but the capacity is so big! And he the imam can't control it; we talk! he knows me intimately; we talk about it he has no control about where the parishioners come from. They come from all over and the operations are beyond Fridays, it goes into Saturdays, it goes to basketball during the day its many things. It's a school during the days which nobody cares about the young kids- they are playing but the invasion of the cars and the gas and the honking of the horns which I wake to on some week ends and tell them please when you pick up your kids at three o' clock please do not honk, this is not the South Bronx just get out of the cars and come and get them. I stopped doing that because they usually were respectful to me, and I am a widow and I maintain this house for sixteen years because I love the neighborhood; we don't have sidewalks so it makes us a little different than other areas and we all have agreed whether consciously or unconsciously that we are willing to pay the exorbitant taxes I think the last tax is \$64,000 at my house; to maintain the quality, it the serenity the birds There has to be way its not by increasing the parking, the parking lot is big. I want Mount Vernon to recognize that our neighborhood is being substantially hindered by the volume and if we all as a neighborhood were not paying our taxes it would be a big cut in Mount Vernon. They should care about their tax payers and it's not a religious issue. They should care about people who were here before. Thank you for listening.

Next Neighbor: This light up at nights lights up green and it looks like a space ship. As to the trees.....

Chair: Which light you're talking about?

Neighbor: That's their sign at the top but it lights up green at nights.

Chair: Where's the light?

Neighbor: It's in there you got to go there at nights that shines right in our houses.

Chair: So It's not the sign?

Neighbor: The sign lights up at nights.

You could check with Commissioner Mark Warren regarding the planting of trees, they planted five of them. I got six foot height trees planted two years ago with the extension of parking lots which is a joke since 600 people come to this building. You really got the line, OK

Chair: where is this in the picture?

Neighbor: This is my backyard in two years six foot trees grow by about a foot. I told him I ask the Imam, I said listen I looking you know, matter of fact I spent all this money on my deck to put up this thing especially in the winter time, the park headlights, this place operates from 4:30 AM to after 10 O'clock PM seven days a week and a lot of months there are big projects there a big tent out there for like six months. See I have to tell you, this guy right here see they didn't plant any evergreen there and shrubbery is his shrubbery there and in the fall all the leaves fall of and results in open space I have been fighting a long battle there my X was going nuts that's partially why she is my X now over this thing but I wasn't selling my house, I was there first. There used to be a school there with over a hundred students, the noise was deafening. They used to make there at nights. Thank God at least that part of it is gone. If they would've given me sixteen foot trees I wouldn't mind. I asked them but they wouldn't. They could have bought trees, I told them where to get trees Upstate. They bought a building in Yonkers and they moved most of the school; now they have about thirty kids. They bought a Pepsi drinks machine which is facing Anita's house and facing Brookfield Avenue that use to shine at nights into my dining room; I sat there in my dining room looking at this thing but I just put this fencing up two years ago on my deck and I told Ralph Tedesco to get rid of that machine. You know what he told me: It's lawn furniture. So this is the problem, nobody stopping them from praying but I took a lot of pictures of a lot of stuff of all the cars and stuff but anything that is going to attract more people. I used to go to the Sinai Temple but they lost members and merged with Free Synagogue; if you get too big you split off, you get too small you shrink. That's it! There is a neighbor at 85 Southfield who has to pay \$38, 000 in taxes as result he can't sell the house; another house at 33 Brookfield: 28 Grand in taxes, another house up for a Million and twenty-five its down to \$849,000.

Chair: do you request that we do anything that is within our authority to do?

Neighbor: Not right now, there's nothing you can do.

Chair: Yes, But the reason you give

Neighbor: I think that building was up for a very long time. A Greek guy built it; Matter of fact the house back here pays over \$50,000 in taxes but and he can't sell the house and now you're going to bring this thing right up to here? That building is a classic built structure; Greek structure that the owner who built that house wanted his own church and he built that church probably 45-50 years ago.

Imam: The Planning Board and the Building Department asked us to plant 6ft. high trees and we planted 7ft high trees and now the trees are growing to 8ft. high. We did everything according to plans, whatever the Building Department asked us we did according to the plans and we put the tent up with the permission of the Building Department. There's complaining about that. As for our neighbor in the back, I have good relationship with her she even mentioned that we should not even have a boundary between us.

Neighbor: He is a good guy. He is the husband that I did not have in years.

Applicant: Once again I can try to convince my client to address a lot of the issues that has been raised by the public if that could be a consideration and I think I have made my presentation and at this point is there any further comment or question?

Chair: to Board members: Motion?

Mosque member: I go to the mosque sometimes and I understand where the neighbors are coming from but it only one day of the week on Fridays that we have overwhelming cars. It's just like my neighborhood where I live there's a Church which on Sundays I can't come out of my driveway sometimes. The only time when parking is a problem is on Fridays during the daytime. At other times that is not an issue. As far as the houses in the area I was looking at the house to buy but 800, 000 with all this property tax? You can't blame a falling economy on a growing church. It's hard to get bank loans now to buy things. It's just a downfall economy. If you have houses in the area are up for sale it's not because people don't want to come to live in the neighborhood.

Board Member Myers; It is one of the factors that when go to look for homes it is a factor especially when you spend that much money on property and taxes what type of environment you are investing in and where that environment is heading.

Board Member Myers; we are looking at this from an impactful perspective, how does further impacts the neighborhood? We understand that there are further historical issues but our main perspective is aesthetically how the addition conforms on to the property and further and the impact that it is having, the further impact that it is having? We are being gracious in allowing a lot of the historical conversation that's being raised, it is not within our purview to address that. We are being gracious in that regard.

Mosque Member: I understand what you are saying but it just bother's me sitting here and hear all this about this parking issues and praying five times a day every day of the week its only one day of the week and every community has these issues. There are times of the year when there are very few cars in the parking lot what about times when we are praying in the mosque peacefully and we can't concentrate because we are being disturbed by noise coming from the neighbors who put speakers up to the fence and blasting noise on us while we are praying. What about that, a coin has two sides. The improvements will be beneficial to us being that we have no space in the bathrooms and the improvements are on our property.

Chair: Do we have a motion?

A motion was made to not approve the proposed alteration to extend the footprint of the Mosque.

Seconded by Board Member Myers; All were in favor. The Chair not voting.

3.2 Calendar No. 39-2011 30 North West Street (Section 164.68, Block 1056, Lot 12) located within the I (Industry) zoning district.

Application of Extra Space Storage., by architect DiGiovanni & Associates, Architect is proposing to modify an existing façade and create new fenestration.

SEQRA Determination: This action is a coordinated review and classified as an "Unlisted Action". Therefore, the Planning Board as "Lead Agency" assessed the environmental significance. The Planning Board issued a negative declaration on March 7, 2012.

The Chairman reads the agenda item into the record. The applicant was called up to testify. The applicant stated that he had presented the project before the board several months ago and subsequently went before the Planning Board approximately three months ago and the Planning Board had reviewed and approved the design that he presented for the project. The applicant provides clarity about the overall project. He states that there is a small alley way along Oak Street.

One revision to the façade is that the will be recessed four inches. The original design did not reflect that. The applicant proposes to maintain the integrity of the building with the original recesses and corrugated metal panels placed where there is currently a window opening. There is a sub-storage facility and therefore, no need for windows in the "Special Needs" storage. So instead of replacing the windows, the applicant is replacing them with panels. The second revision is that there is an entry shown on the original drawings where the main loading area is located with an office situated behind it. This window was going to be covered with an aluminum panel. Because the aluminum panel is subject to damage due to its location, the applicant proposes to maintain this as shown on the original plans. The other changes in the recesses located along North West Street and coming along Oak Street

have a transition type panel for purely aesthetic reasons. The panels did not fit into the recesses and do not enhance the elevations. The last item is a three storage portion of the building located next to the Metro North Railroad. The applicant proposes to use partition panels along the south elevation that would face the train station and along the west elevation. The existing windows are going to be dropped to the level of the surrounding windows and replaced with partition panels similar to what is being done at the corner of Oak Avenue and North west avenue. The applicant did not have pictures in hard copy but showed pictures using his i-pod. The picture was not clear. The building has a three story section and a one story section. The applicant provides background concerning the surrounding area.

Myers: I'd like to see them.

Applicant: I am sorry for the small scale but that's a typical brand recognition where you have clear glass and a roll-up door behind it. That's public storage their doors are orange; this is extra space storage our doors will be a hunter green color.

Myers: Will there be signage on top?

Applicant: Yes, I just wanted to show you how it would look.

Chair: This is the room right?

Applicant: No, that was just to give an idea.

Applicant: That's going to be the show room, in essence what you will see behind the show window.

Chair: This?

Applicant: It's not a great image but it basically shows that there are doors behind the clearance. It's not an objectionable thing to have signage.

The applicant shows the design and stated that these are not the best of images.

Board Member Dais makes a motion to approve which is seconded by Board Member Myers. The vote is unanimous.

Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [Section 105 of the New York State Public Officers Law, Article 7].

Note: Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda.

Reminder to applicants:

Sample of exterior finish materials must be presented at the meeting. Please be advised that approval from the Architectural Review Board does not constitute approval from the Building Department. Moreover, no work may be performed until a Building Permit is granted and conspicuously posted at the work site.

Following the upcoming meeting set for June 27, 2012 the next regular meeting of the Architectural Review Board is scheduled to be held on Wednesday, July 25, 2012.

Vinroy Bell
ARB Secretary

City of Mount Vernon 13
Architectural Review Board Agenda

Meeting Date
May 23, 2012

cc: Ernest D. Davis, Mayor
Nichelle Johnson, Chief of Staff
George Brown, City Clerk

Lobby
Press
Building Department