

## MEMORANDUM

Date: September 11, 2026

To: Village of Nyack, NY

From: 58-year neighbors of Subject Lot (two attorneys)

Re: Opposition to adding a driveway on Fifth Avenue for 124 Fifth Avenue

### Summary

For public safety, aesthetic, and other reasons, the neighbors at 108 Fifth Ave. oppose adding a Fifth Avenue driveway for any development at 124 Fifth Avenue (the Subject Lot).

### Background

This memo's authors are two (2) attorneys whose family has owned and occupied the single-family house at 108 Fifth Avenue in Nyack for the last fifty-nine years (59 years).

The Subject Lot is undeveloped and is located between a single-family house that was built about 100 years ago (128 Fifth Avenue) and a "skinny" lot with a single-family house that has a narrow side yard and a big back yard (120 Fifth Avenue). The Subject Lot is a second "skinny" lot without room to develop a house as wide as other houses on the block.

Going up the hill: 2 Tillou Lane, 108, 120, 124 (Subject Lot that is narrow), and 128 Fifth Ave.

The Subject Lot is on a busy street and is across from an active driveway of the old Nyack High School (now BOCES special and adult education buildings that operate day and night).

The Subject Lot is in a blind spot for drivers going down Fifth Avenue, near the top of a steep hill. Regardless of pedestrian traffic, heightened safety risk near an active school, long caravans of school busses, and posted speed limit signs, traffic near the Subject Lot is fast. Vehicles pick up speed quickly going downhill. Vehicles drive hard and fast to get up the hill.

Cars park across the street (most spots are used on workdays and nights – up and down the hill). Parking is prohibited and there is no sidewalk on the Subject Lot's side of Fifth Avenue.

The Subject Lot has never had a driveway on Fifth Avenue. Instead, the Subject Lot includes part of a beautiful 100-year-old stone wall that extends from 128 Fifth Avenue five lots downhill to the next street (from Central Avenue to Tillou Lane). Many trees now grow on the Subject Lot near the stone wall between the Subject Lot and Fifth Avenue.

### Public Safety

The volume and speed of vehicle traffic, the active driveway and school across the street used by many students, faculty, staff, and tradespeople, the many school busses, the blind spot for

downhill traffic and constricted available road width due to cars parking opposite to the Subject Lot cause a need for extra caution when exiting the three (3) nearby driveways.

Drivers exiting driveways on downhill properties (BOCES, 120 and 108 Fifth Avenue) have time, albeit a short amount of time, to see if a car is coming downhill and gauge the speed of oncoming traffic. Many cars inadvertently pick up speed when they start downhill. Drivers exiting a driveway at the Subject Lot would not have such time benefits.

Bicyclists often challenge themselves by riding up the long and steep hill that crests near the Subject Lot. Many are nearly exhausted by the time they reach the Subject Lot. The adjacent property downhill has tall perennial bushes as sound and visual barriers, which would create a second blind spot all year long. Snow plowing in the winter could pose additional risks.

***In sum, The Village of Nyack can reasonably expect serious bodily injury and property damage, if the Village permits adding a driveway on Fifth Avenue for the Subject Lot.***

**Aesthetics and Other Considerations**

Permitting a driveway on Fifth Avenue for the Subject Lot would remove many trees and at least part of the 100-year-old stone wall that lines the full city block and acts as a sound and safety barrier against the busy Fifth Avenue vehicle and bicycle traffic.

Many people would be subject to extraordinary property damage risk from collisions. Winter weather complicates the matter each year. Snow and ice can cause civilian and Village drivers to temporarily lose control and increase risk of vehicle collisions.

**Solution**

If the Village decides to permit development of a single-family house on the Subject Lot, the authors of this memo urge the Village to consider requiring the use of a pre-existing driveway on Central Avenue instead of adding a new driveway on Fifth Avenue.

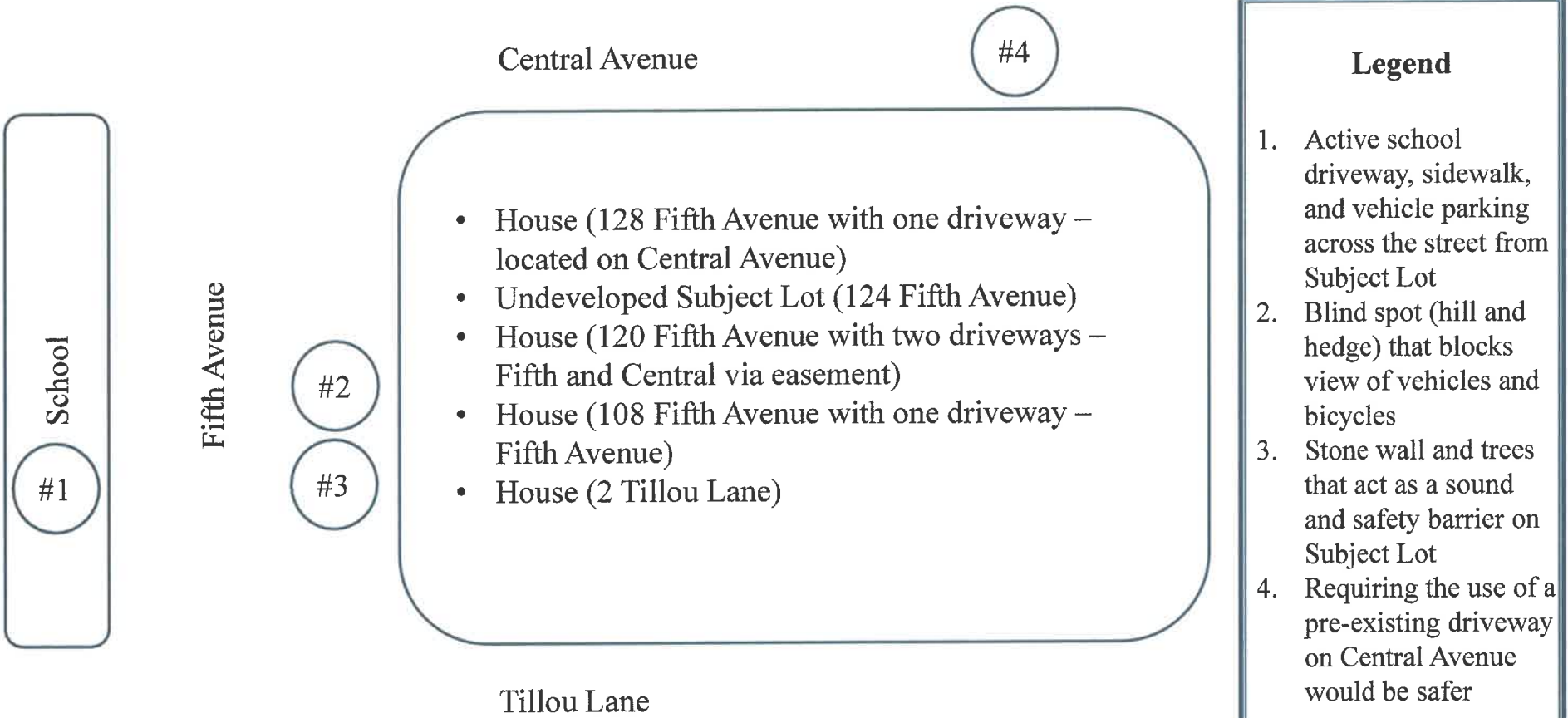
To make such suggestion feasible, the Village would need to require an easement on 128 Fifth Avenue to permit vehicles to access the Subject Lot from Central Avenue, plus to ensure on-lot public safety require a formidable barrier between the house at 128 Fifth Avenue and its driveway to accommodate both greater and unknown vehicle traffic accessing the Subject Lot.

Since the Subject Lot is “skinny” and there are separate visual barriers on Central Avenue, consider requiring additional driveway space to turn vehicles around on the Subject Lot (only – to minimize lowered property values of 128 Fifth Avenue due to the suggested easement).

**Summary**

The neighbors at 108 Fifth Avenue oppose adding a driveway on Fifth Avenue for the currently-undeveloped lot at 124 Fifth Avenue on public safety and other reasons described herein.

**Public Safety Hazard, if Village Permits a New Driveway on  
Fifth Avenue for Subject Lot (124 Fifth Avenue) (Not to Scale)**



Subject Lot (124 Fifth Avenue) and Suggestions (Not to Scale)

