

VILLAGE OF NYACK PLANNING BOARD

NARRATIVE STATEMENT

Premises: 11 Fourth Avenue, Nyack, New York

Tax Designation: Section 66.30, Block 2, Lot 26

Applicant/Owner: Schenley Vital, 48 S. Franklin Street, Suite 100, Nyack, NY 10960

Matter: Two Lot Minor Subdivision: Request to Confirm Negative Declaration, Grant Preliminary Site Plan Approval, and Authorize Referral to the Zoning Board of Appeals

I. Purpose of This Submission

This narrative statement is submitted in advance of the Planning Board's September 2026 meeting to respectfully request that the Board take three actions on the record: (1) confirm the Negative Declaration for this action following the close of the statutory public comment period; (2) grant preliminary site plan approval for the subdivision as conformed; and (3) authorize the Applicant to proceed to the Zoning Board of Appeals ("ZBA") for consideration of the area variances associated with the conformed plan.

II. Procedural Status

At its meeting on June 1, 2026, the Planning Board, acting as Lead Agency under SEQRA, voted to adopt a Draft Conditional Negative Declaration for this action, subject to two conditions: (1) that Lot B be developed as a single-family residence rather than the two-family residence originally proposed; and (2) that the building height on Lot A be reduced from 36' to 32'. As the Village Planner advised at that meeting, the Draft Conditional Negative Declaration was thereafter published in the Environmental Notice Bulletin, commencing the statutory 30-day public comment period required for a Conditioned Negative Declaration under 6 NYCRR 617.7(d).

The Applicant understands that the public comment period has now closed and that the matter is properly before the Board for its evaluation of any comments received and its determination to confirm the Negative Declaration.

III. The Applicant Has Fully Conformed the Project to Both Conditions

The Applicant has revised the site plan to satisfy both conditions imposed by the Board on June 1, 2026, as follows:

Condition Imposed (June 1, 2026)	Status
Lot B changed from proposed two-family to single-family residence (6,120 s.f.)	Satisfied. Lot B site plan revised; first-floor kitchen eliminated; single dwelling unit only.
Lot A building height reduced from 36' to 32'	Satisfied. Revised site plan shows Lot A proposed height of 31.52', within the 32' maximum.

No other element of the site plan including the lot configuration, building footprint, grading, drainage, retaining walls, or utility layout previously reviewed by the Board has changed. The project now before the Board for confirmation of the Negative Declaration is, in all material respects, the project the Board's SEQRA record and the Full Environmental Assessment Form Part 3 already evaluated.

IV. Request to Confirm the Negative Declaration

Because the Applicant has conformed the project to both conditions set by the Board, and because the public comment period has now run its course, the Applicant respectfully requests that the Board confirm the Negative Declaration for this action.

The Applicant reserves all rights it may have with respect to the propriety of the condition(s) originally imposed on the Negative Declaration and submits this request without prejudice to those rights. This reservation is made solely to preserve the Applicant's position and is not intended to delay or complicate the Board's action on the items requested in this statement.

V. Request for Preliminary Site Plan Approval

The Applicant further requests that the Board grant preliminary site plan approval for the subdivision as conformed, subject to any standard conditions the Board deems appropriate, including but not limited to:

- Submission of a final Stormwater Pollution Prevention Plan (SWPPP) for Lot A, as referenced in the Board's SEQRA record, for review by the Village Engineer prior to issuance of any building permit;
- Submission of an Erosion and Sediment Control Plan prior to any land disturbance;
- Completion of a field percolation test and geotechnical report, with results submitted to the Chief Building Inspector and Village Engineer prior to the issuance of any building permit;
- Modification and replacement of the concrete curb along the property frontage as needed, and installation of concrete sidewalks along the property frontage, and the landscape plan already provided to the Board.

VI. Request for Authorization to Proceed to the Zoning Board of Appeals

Finally, the Applicant respectfully requests that the Board authorize the Applicant to proceed to the ZBA for consideration of the area variances necessary to develop the subdivision as conformed.

VII. Conclusion

The Applicant has worked in good faith to conform this project to the conditions set by the Board and respectfully requests that the Board (1) confirm the Negative Declaration, (2) grant

preliminary site plan approval subject to the standard conditions outlined above, and (3) authorize prompt referral to the ZBA so that this matter may proceed without further delay.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Schenley Vital', is written over a horizontal line.

Schenley Vital, Applicant/Owner
11 Fourth Avenue, Nyack, NY