

RESOLUTION

VILLAGE OF NYACK PLANNING BOARD

Adopted September 14, 2026

RE: Application of Wilson Bermeo (Bermeo Multi-Family)
Property: 32 South Franklin Street and DMU-1 Zone

Resolution of Site Plan Approval for Rear Addition to Add Three Dwelling Units to Existing Three Dwelling Unit Property

Background

After due discussion and deliberation, on motion by Jennifer Knarich, seconded by Catherine Friesen and carried, the following preliminary and final Dwelling Units to Existing Three Dwelling Unit Property was adopted:

1. The Applicant, Wilson Bermeo (Bermeo Multi-Family), requested a site plan approval for a rear addition to add three dwelling units to an existing three dwelling unit property for a total of six units. The property is on the west side of South Franklin Street, 24' south of Jackson Avenue in the DMU-1 zone. The lot is 2,839 sf. The subject building was constructed circa 1923 and is a 2 ½ story with three existing dwelling units. There are no units in the basement. No parking spaces are provided. The major change is a reduction in the number of units from eight to six units. The size of the units has been increased and now conform to Village Code. There will be three full stories with the basement used for mechanicals and storage. The building will retain the current architectural style featuring a main entrance on the front left, bay windows on the two lower levels and gabled roofs. An easement approved by the Village Board of Trustees (but not yet recorded) is across the adjacent property to the north (which is the Nyack Police Substation). This facilitates a second means of access and an accessible ramp leading to the lobby. The existing entrance on Franklin Street will lead to an interior passageway which will provide access to a fire rated stairwell.
2. The Planning Board on June 1, 2026, determined that the proposed action based on the new SEQRA amendments is exempt from SEQRA review (effective June 12, 2026).
3. The Planning Board opened a duly noticed public hearing on March 2, 2026, and continued April 13, 2026, June 1, 2026, and September 14, 2026, at which time all those wishing to be heard were given the opportunity to be heard. The verbal comments made at the meetings have been made part of the record for this application and have been considered by the Planning Board.
4. The Planning Board has carefully examined the Application, the Applicant's *Project for side yards, rear yard, FAR, maximum D.5/12/26*. The Planning Board reviewed the

Application of Wilson Bermeo (Bermeo Multi-Family)

Property: 32 South Franklin Street (Sheet 66.37, Block 2, Lot 47) and DMU-1 Zone

recommendations in the Notes from the Village Planner dated March 2, 2026, April 13, 2026, June 1, 2026, and September 14, 2026, which the Planning Board has considered.

5. The Applicant appeared before the Zoning Board of Appeals on June 29, 2026, and July 20, 2026, requesting variances for side yards, rear yard, FAR, Maximum Density and 0 parking spaces. The Zoning Board of Appeals granted all variances on July 20, 2026. The DMU-1 zone requires non-residential uses on the ground floor of buildings. Although the subject building never had such ground floor uses and was thus “grandfathered”, the Building Inspector determined that the expansion of the ground floor expanded the non-conformity, and a special permit was required from the ZBA . The ZBA granted the special permit on July 20, 2026.
6. The Planning Board closed their public hearing on September 14, 2026. After closing the public hearing, the Planning Board deliberated in public on the Applicant’s request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. Findings

The Planning Board considered the standards set forth in Village of Nyack Zoning Code (“Zoning Code”) Chapter 360-5.7 “*Site Development Plan*” and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein. There were no steep slopes on the property.

The Applicant’s proposed project is located on a 2,839-sf property in the DMU-1 district. The existing building has a total floor area of 2,214-sf. The three existing units range in size from 489-sf to 668-sf. These are one- and two-bedroom units. The interior plans have changed based on consultations with the Zoning Board of Appeals and the Planning Board. The major change is the reduction in the number of units from eight to six, and the reduction in the number of parking spaces required, from eight to six units. Additionally, the sizes of the individual units have been increased and now conform to Village standards. There are no parking spaces provided for the six residential units. After review, the ZBA provided a 0-space variance based on the limited width and size of the existing lot.

The proposed addition will add 4,883-sf. The existing floor plan will be replaced with a new floor plan. There will be one 1-bedroom and five 2-bedroom units. The new apartments will range in size from 600-sf to 734-sf. It will have three full stories. Each story, excluding the basement, will have two apartments. The basement will be used for utilities, mechanicals, and storage. The building, with the new addition, will retain the current architectural style.

Application of Wilson Bermeo (Bermeo Multi-Family)

Property: 32 South Franklin Street (Sheet 66.37, Block 2, Lot 47) and DMU-1 Zone

There is an easement approved by the Village Board of Trustees (but not yet recorded) across the adjacent property, which is the Nyack Police Substation, approved by the Board of Trustees in May 2025. This will facilitate a second means of egress from the building as well as an accessible ramp on applicant's property. There will be an interior passageway leading to access to a fire rated stairwell.

II. Approved Plans:

The following Site Plan for Beremeo Multi-Family at 32 South Franklin Street prepared by George Hodosh Associates - Architects, P.C. 5/27/24 and last revised 5/12/26 *unless otherwise noted* are part of the approved plans:

Site Plan

- D1 *"Existing Basement & First Floor Plan "*
- D2 *"Existing Second & Third Floor Plan"*
- A1 *"Basement & First Floor Plan"*
- A2 *"Second & Third Floor Plan"*
- A3 *"Front Elevation"*
- A4 *"Right Elevation"*
- A5 *"Rear Elevation"*
- A6 *"Left Elevation"*

(the "Approved Plans")

III. General Conditions:

- (a) The Applicant shall obtain all required state, county and local permits and approvals.
- (b) The Applicant shall make an application to the Rockland County Department of Health for review of the storm water management system to ensure compliance with the County Mosquito Code.
- (c) ARB Review: No construction may take place, and a building permit may not be issued until Applicant has obtained approval from the Board of Architectural Review in accordance with applicable provisions of the Village of Nyack Code.

Application of Wilson Bermeo (Bermeo Multi-Family)

Property: 32 South Franklin Street (Sheet 66.37, Block 2, Lot 47) and DMU-1 Zone

VOTE:

Ayes: 4

Nays: 0

PLANNING BOARD

Village of Nyack

A handwritten signature in cursive script that reads "Laura Rothschild".

Laura Rothschild, Chairperson

Date: September 14, 2026