



September 23, 2026

Rockland County Department of Planning
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Re: Response to GML Review Comments
GML-26-0391
1 Laveta Place, Nyack, New York
Tax Lot 66.22-2-10

Dear Commissioner Schuetz:

Indigo River Architecture & Engineering, D.P.C. is submitting the following responses on behalf of the Applicant regarding the Rockland County Department of Planning review dated September 1, 2026, for the proposed seawall rehabilitation and stair-access improvements at 1 Laveta Place.

Below are the County's recommended modifications, followed by the Applicant's corresponding responses. Where applicable, the Applicant has identified recommendations for which an override by the Village of Nyack Planning Board is requested.

GML Comment #1:

The Village shall be satisfied that the proposed project is consistent with the Village's 2016 Comprehensive Plan, specifically Section 7.2.3 regarding protection against sea level rise and storm surge through promotion of "soft" vegetated shoreline treatments or riprap.

IR Response #1: COMPLY / NO OVERRIDE REQUESTED

The Applicant agrees with the underlying resiliency objective of the Comprehensive Plan. The proposed design includes riprap toe protection and will incorporate native vegetative restoration where practicable.

The existing site, however, contains a steep developed slope and an existing structural soil-retention system that requires replacement. The structural retaining components are necessary to provide the required slope stabilization and cannot practicably be replaced solely by vegetated shoreline treatment.

The Applicant therefore requests that the Planning Board find the proposed project consistent with the intent of Section 7.2.3 based upon the incorporation of riprap, restoration planting, and other soft measures where compatible with the structural requirements of the site.

GML Comment #2:

The County strongly recommends that the Applicant consider hybrid shoreline stabilization in lieu of the structural method currently proposed.

IR Response #2: REQUEST OVERRIDE

The Applicant has considered hybrid and nature-based shoreline stabilization techniques. Such techniques will be incorporated where feasible as complementary measures, including riprap and native vegetative restoration.

However, a predominantly soft or hybrid shoreline treatment cannot provide the structural retention required at this location. The property has a substantial vertical grade differential between the upland residential property and the Hudson River, with limited horizontal area available to achieve the necessary grade transition. The existing retaining system is also structurally deteriorated and requires replacement.

Accordingly, the proposed structural system is necessary to safely stabilize the slope and retain the upland property. The Applicant respectfully requests that the Planning Board override the recommendation to substitute a hybrid

shoreline system for the proposed structural stabilization system, while recognizing that softer measures will be incorporated where practicable.

GML Comment #3:

The County identified important areas for rare and aquatic animals and documented submerged aquatic vegetation south of the site and again recommends consideration of hybrid shoreline management techniques.

IR Response #3: COMPLY IN PART / REQUEST OVERRIDE IN PART

The Applicant acknowledges the ecological sensitivity of the Hudson River and has incorporated measures to avoid and minimize impacts to aquatic resources.

The County identifies documented SAV **south of the project site**, rather than within the proposed seawall and stair disturbance area. The project has also undergone review by NYSDEC, USACE, and NYSDOS in connection with the broader waterfront project.

The Applicant will continue to utilize erosion, sediment, turbidity, spill-control, and applicable seasonal environmental protection measures.

For the reasons stated in Response #2, the Applicant respectfully requests an override only to the extent that this recommendation would require replacement of the proposed structural retaining system with a hybrid shoreline system.

GML Comment #4:

The Village must be satisfied that vegetation removal complies with Village Code §360-5.18C and that removal of shrubbery will not exacerbate erosion on adjacent properties.

IR Response #4: COMPLY

The Applicant will identify and clarify vegetation-removal limits as part of the revised site plans. Any tree removal subject to Village Code requirements will be addressed accordingly.

Disturbed areas will be stabilized and restored, with native vegetation incorporated where practicable. The project will be designed and constructed so that vegetation removal does not increase erosion on adjacent properties.

GML Comment #5:

The U.S. Army Corps of Engineers must be provided the opportunity to review the proposal, with any required permits obtained.

IR Response #5: COMPLY

The project has previously been reviewed by the U.S. Army Corps of Engineers under Application No. NAN-2024-00694, and USACE issued authorization for the broader waterfront project.

Prior to construction, the Applicant will confirm with USACE whether any extension, re-verification, modification, or additional authorization is required for the current construction scope and will comply with all applicable federal requirements.

GML Comment #6:

The project must be reviewed by the Rockland County Department of Health and any comments or concerns addressed.

IR Response #6: COMPLY

The Applicant has no objection to the required referral and will address any comments received from the Rockland County Department of Health.

GML Comment #7:

The Town of Orangetown must be provided an opportunity to review the proposed site plan pursuant to General Municipal Law §239-nn.

IR Response #7: COMPLY

The Applicant has no objection to the required referral and has already undertaken coordination regarding utilities and sewer infrastructure associated with the Town of Orangetown.

Any comments received from the Town will be addressed as part of the continuing review process.

GML Comment #8:

The Engineer of Record shall certify to the Village Floodplain Administrator that the proposed construction complies with Village and FEMA floodplain regulations.

IR Response #8: COMPLY

The Applicant agrees. The Engineer of Record will provide the required floodplain compliance certification at the appropriate stage of the permitting process.

GML Comment #9:

Retaining walls shall be designed by a licensed New York State Professional Engineer and comply with applicable New York State Building Code requirements.

IR Response #9: COMPLY

The proposed retaining-wall system was designed under the direction of **Anand Agarwal, P.E.**, a New York State licensed Professional Engineer.

Final structural plans and calculations will be signed and sealed as required and will demonstrate compliance with applicable New York State code requirements.

GML Comment #10:

The County recommends use of plants native to New York for proposed landscaping.

IR Response #10: COMPLY

The Applicant agrees and will utilize appropriate native plant species for restoration and landscaping associated with disturbed areas where practicable.

GML Comment #11:

The local land use board must file a report of its final action with the County Commissioner of Planning pursuant to GML §§239-m and 239-n.

IR Response #11: ACKNOWLEDGED / NO APPLICANT ACTION REQUIRED

This comment pertains to the Village's post-decision procedural obligations. No Applicant action is required. The Applicant acknowledges the requirement.

GML Comment #12:

Where the County Commissioner has recommended modification or disapproval, applicable County approvals are subject to the reporting requirements described in Executive Order 01-2017.

IR Response #12: ACKNOWLEDGED / NO APPLICANT ACTION REQUIRED

This comment primarily concerns the Village's reporting obligations and subsequent County agency procedures.

The Applicant acknowledges the requirement and will provide any documentation required by a County agency having jurisdiction over the project.

The Applicant respectfully submits these responses for consideration by the Village of Nyack Planning Board in connection with its preparation of the proposed resolution for the October 5, 2026 meeting.

Should you have any questions or require additional information, please feel free to contact the undersigned.

September 23, 2026

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dena Prastos', with a long horizontal flourish extending to the right.

Dena Prastos, AIA.
President | Authorized Agent
Indigo River Architecture and Engineering, D.P.C.
dena@indigoriver.com | 914-361-5248