

Village of Nyack

Waterfront Assessment Form

A. INSTRUCTIONS

1. Applicants, or, in the case of direct actions, Village agencies, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the approved Village of Nyack Local Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Village of Nyack Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the office of the Village Clerk. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront revitalization area (WRA) and its consistency with the policy standards.
3. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Describe nature and extent of action:

Applicant is seeking site plan approval for the seawall rehabilitation and stair access work at 1 Laveta Place from the Village of Nyack Planning Board. The 0.406-acre property is located on the south side of Laveta Place, 235' feet east of North Broadway in the SFR-1 (Single Family) zoning district. The site currently is improved with a single-family residence and a seawall with stairway access to the shoreline. There are existing sanitary sewer lines and associated sewer easements in the rear yard in proximity to the proposed seawall improvements. The Applicant is proposing a seawall rehabilitation and improved stairway access to the shoreline. The approximate disturbance for the project is 0.045-acre. As noted in the Project Narrative, the site plan application is limited to rehabilitation of the existing shoreline soil-retention system and construction of safe stair access from the residential property to the Hudson River shoreline. The Applicant has described the proposed seawall and stair work to include the placement of riprap for protection along the reconstituted portion of the shoreline wall. Implementation measures are shown in the construction documents. Applicant will use localized turbidity controls as needed. The fixed pier, gangway and floating dock shown in the broader project drawing and prior agency permits are included only to provide complete project context. These overwater elements are not part of the Village approval

request. The Applicant has already received NYSDEC permit (March 7, 2025), USACA (Army Corp of Engineers, February 11, 2025) and NYSDOS Coastal Consistency (November 18, 2024).

Type of Village agency action (check appropriate response):

a. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

☒ X Nyack Planning Board _____

b. ☐ _____

c. _____

d. _____

e. Financial assistance (e.g. grant, loan, subsidy)

f. Permit, approval, license, certification

☐ Permits: NYSDEC (March 7, 2025); USACA (Army Corp of Engineers February 11, 2025); NYS DOS Coastal Consistency (November 18, 2024)

g. Agency undertaking action:

Nyack Planning Board _____

3. If an application for the proposed action has been filed with a Village, the following information shall be provided:

a. Name of Applicant Andreas Roy

b. Mailing address:

☐ 1 Laveta Place 9 North Broadway, Nyack NY

10960 _____

c. Telephone number:

(917) 678 - 2478 _____

d. Property tax number: ___ Section 66.22-Block 2 – Lot 10 _____

e. Application number, if any:

4. Will the action be directly undertaken, require funding, or approval by a State or federal agency?

Yes ☒ No _____

If yes, which State or federal agency? _NYSDEC, USACA,
NYSDOS _____

5. Location of action (Street or Site Description and nearest intersection):

_____ 1 Laveta Place _____

6. Size of site (acres): ___ 0.045 acres _____

7. Amount (acres) of site to be disturbed: ___ 0.045 disturbance

8. Present land use: ___ single-family _residence

9. Present zoning classification: ___ SFR-1 zone _____

10. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): _____ Hudson River Shoreline

11. Percentage of site that contains slopes of 15% or greater: _5% _____

12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name ___ NA _____

(b) Size (in acres) _N/A _____

13. Is the property serviced by public water? Yes ☒ No _____

14. Is the property serviced by public sewer? Yes ☒ No _____

C. WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

	<u>YES</u>	<u>NO</u>
1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the WRA (as identified in the LWRP)?	___	__x__
(a) Significant fish or wildlife habitats?	___	__x__
(b) Scenic resources of local or State-wide significance?	___	__x__
(c) Important agricultural lands?	___	x___
(d) Natural protective features in a waterfront erosion hazard area	___	__x__
(e) Designated State or federal freshwater wetlands?	___	__x__
(f) Commercial or recreational use of fish and wildlife resources?	___	__x__
(g) Existing or potential public recreation opportunities?	___	x___
(h) Structures, sites or districts of historic, archaeological or cultural significance to the Village State or nation?	___	x___
(i) Land or water uses within a small harbor area?	___	__x__
(j) Stability of the shoreline?	___	__x__
(k) Surface or groundwater quality?	___	x___
	<u>YES</u>	<u>NO</u>
2. Will the proposed action involve or result in any of the following:		
(a) Physical alteration of land along the shoreline, underwater land or surface waters?	___	__x__
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	___	__x__
(c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the waterfront area?	___	__x__
(d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?	___	- x___

(e) Mining, excavation, filling or dredging in surface waters?	___	<u> x </u>
(f) Reduction of existing or potential public access to, or along, the shoreline?	___	<u> x </u>
(g) Sale or change in use of publicly owned lands located on the shoreline or underwater?	___	<u> x </u>
(h) Development within a designated flood or erosion hazard area?	___	<u> x </u>
(i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion?	___	<u> x </u>
(j) Construction or reconstruction of erosion protective structures?	___	<u> x </u>
(k) Diminished or degraded surface or groundwater quantity and/or quality?	___	<u> x </u>
(l) Removal of ground cover from the site?	___	<u> x </u>
	<u> YES </u>	<u> NO </u>

3. PROJECT

(a) If the project is to be located adjacent to shore:		
Does the project require a waterfront location?	<u> x </u>	___
(2) Will water-related recreation be provided? Dock for residence boat	<u> x </u>	___
(3) Will public access to the foreshore be provided?	___	<u> x </u>
(4) Will it eliminate or replace a water-dependent use?	___	<u> x </u>
(5) Will it eliminate or replace a recreational or maritime use or resource?	___	<u> x </u>
(b) Is the project site presently used by the community or neighborhood as an open space or recreation area?	___	<u> x </u>
(c) Will the project protect, maintain and/or increase the level and types or public access to water- related recreation resources or facilities?	___	<u> x </u>
(d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	___	<u> x </u>
(e) Is the project site presently used for commercial or recreational		

fishing or fish processing?	_____	<u> X </u>
(f) Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	_____	<u> X </u>
(g) Is the project located in a flood prone area?	_____	<u> X </u>
(h) Is the project located in an area of high erosion?	_____	<u> X </u>
(i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	_____	<u> X </u>
(j) Do essential public services or facilities presently exist at or near the site?	_____	<u> X </u>
(k) Will the project involve surface or subsurface liquid waste disposal?	_____	<u> X </u>
(l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	_____	<u> X </u>
(m) Will the project involve shipment or storage of petroleum products?	_____	<u> X </u>
(n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into WRA waters?	_____	<u> X </u>
(o) Will the project involve or change existing ice management practices?	_____	<u> X </u>
(p) Will the project alter drainage flow, patterns or surface water runoff on or from the site?	_____	<u> X </u>
(q) Will best management practices be utilized to control storm water runoff into WRA waters?	_____	<u> X </u>
(r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?	_____	<u> X </u>
(s) Will the project involve any waste discharges into WRA waters?	_____	<u> X </u>

D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"

(Add any additional sheets necessary)

_____None_____

If you require assistance or further information in order to complete this form, please contact the Village Code Enforcement Office.

Please submit completed form, along with one copy of a site/sketch plan to:

Nyack Village Hall, 9 North Broadway, Nyack, NY 10960

Preparer's Name (Please print):__Robert Galvin, AICP_____

Affiliation: __Village Planner_____

Telephone Number: (_845_)_358-4249_____

Date: _9/10/2026_____