

**Application of Saban Sinanaj**

**Property: 55 Catherine Street (Sheet 65.35, Block 2, Lots 18.1 and 18.2) in TFR-Zone**

**RESOLUTION**

**VILLAGE OF NYACK PLANNING BOARD**

**Adopted July 7, 2025**

**RE: Application of Saban Sinanaj**

**Property: 55 Catherine Street (Sheet 65.36- Block 2-Lots 18.1 & 18.2) and TFR-Zone**

**Resolution of Preliminary and Final Minor Subdivision for Two Lots and Approval  
for Demolition of an Existing Residence on Proposed Lot 2**

**Background**

After due discussion and deliberation, on motion by Samuel Hart, seconded by Peter Voletsky and carried, the following preliminary and final minor subdivision plat and site plan approval for demolition of an existing residence on Proposed Lot 2 was adopted:

1. The Applicant, Saban Sinanaj, requested minor subdivision approval for the merger of two lots and the construction of a two-family dwelling. The property is 12,477-sf in the TFR zone. It is located on the west side of Catherine Street and consists of two lots which will be combined. The subject property is between a two-family residence on one side and seven attached condominium townhouses on the other side. There is a 60" diameter storm drain culvert at the rear of the proposed units. The property is currently developed with an existing residential dwelling on one lot, and associated driveway improvements. Applicant is requesting the approval to demolish the existing structure on the property. The bulk table indicates that there is no zoning variances required. The height of the structure will be 31'6". The front yard will be 30', side yard is 8.3' and combined side yards are 25'. The rear yard is 61'58". The Two-Family Residence will provide the required 4 on-site parking spaces. The dwelling nit The Chief Building Inspector has reviewed the front yard parking and there is no parking encroachment pursuant to the Code. The setback for the parking is 6'. The width of the curb cut for each unit is 22' each. The Planning Board shall review and approve the curb cut as part of the site plan. The plans for the basement have been revised and the exterior entrance to the basement has been eliminated. All entry to the basement is now through the residence.

2. The Planning Board on October 2, 2023 determined that the proposed action was an Unlisted action under SEQRA. The Planning Board staff circulated the Notice of Intent (NOI) for the Board to be Lead Agency to involved and interested agencies on October 5, 2023. The Planning Board assumed lead agency status at its meeting on November 6, 2023. The Planning Board received the GML review from Rockland County Planning on November 22, 2023 and GML letter from NYSDOT on September 9, 2023 indicating no impacts on NYS highways. At

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the direction of the Planning Board, the Village Planner developed a draft Neg Dec for the Planning Board's consideration at its June 2025 meeting. The Planning Board reviewed the Part 2 of the EAF, the Applicant's revised plans and the draft Negative Declaration dated 6/1/25 and issued the Negative Declaration on 6/3/25.

3. The Planning Board opened a duly noticed public hearing on October 5, 2023, and continued the public hearing on November 6, 2023, January 8, 2024, June 2, 2025 and July 7, 2025, at which time all those wishing to be heard were given the opportunity to be heard.

4. The Planning Board has carefully examined the Application, the Applicant's Architect Cover Letter dated 4/30/25, the requested set of coordinated civil plans and architectural drawings (revised 6/16/25), reviewed the bulk table for the proposed 2 family residence, the letter from Gibbons Engineering (Applicant's Engineer) addressing the comments and questions of the Village Engineer dated 4/26/25, the Architect's letter to the Village Engineer addressing revisions made to the plans dated 4/28/25. The Planning Board reviewed the Village Engineer's reviews dated 10/9/23, 12/27/23, 5/30/25 and 6/12/25, the *Application Memo of the Project Status of the Project* by the Chief Building Inspector dated 5/15/25, the *Plan Review Summaries* from the Building Inspector and comments and recommendations in *Notes* from the Village Planner dated October 5, 2023, 11/6/23, 1/8/24, and 6/2/25, which the Planning Board has considered.

5. The Planning Board has found that it was in possession of all documentation reasonably necessary to determine the environmental impact of the application. The Planning Board reviewed information provided by public comment and review of Applicant's plans as listed above and then reviewed the Parts 1, 2 and 3 of the SEAF, the GML material received from Rockland County Planning and NYSDOT, the review by the Village Engineer and the Village Planner's draft Neg Dec. The Planning Board on June 3, 2025 adopted a Negative Declaration under SEQRA, determining that there were no adverse environmental impacts with the proposed action that could not be mitigated.

6. The Planning Board after having considered the Waterfront Assessment Form dated June 1, 2025 with review by the Village Planner determined on June 3, 2025 that the minor subdivision is consistent with the policies of the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to Chapter 342 of the Village Code

7. The Planning Board closed their public hearing on July 7, 2025. After closing the public hearing on the preliminary and final subdivision plat, the Planning Board deliberated in public on the Applicant's request for approval.

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### **Determination**

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for minor preliminary and final subdivision approval and special permit approval (for the merger of two lots) is granted subject to the conditions set forth below.

#### **I. Findings**

The Planning Board is familiar with the Property and all aspects of the proposed action and has considered the standards set forth in Village of Nyack Zoning Code (“Zoning Code”) Chapter 360, 5.8 (*Subdivision of Land*) and finds that subject to the conditions set forth below, the proposed preliminary and final subdivision plats are in substantial agreement and are consistent with the subdivision standards of the Village Code for the two adjacent lots as reflected in the subdivision plat is in harmony with the Village Code and will not adversely affect the surrounding neighborhood or the community at large.

The Planning Board has reviewed the Applicant’s preliminary and final subdivision for a minor two lot subdivision at 55 Catherine Street. The total property to be subdivided into two lots consists of 12,477 sf. with 83.13’ of frontage on Catherine Street. The subject property is in the TFR-zone. The subject property is located on the west side of Catherine Street. It is located between a two-family residence on one side and seven attached condominium townhouses on the other side. The 2-family residence will provide the required four parking spaces. The Applicant has provided a set of plans for the two-family residence and a stormwater management plan for the project. A Stormwater Management Plan has been provided by Gibbons Engineering with stormwater calculations and a report from Win Can showing the televised culvert with findings dated 3/21/24. The culvert will be re-televised after construction with documentation provided to the Village Engineer and Chief Building Inspector. Gibbons Engineering has provided an Erosion Control plan. The limits of disturbance will be less than 10,000 sf and, therefore, a SWPPP will not be required.

The Applicant’s Engineer has clarified the information regarding the culvec system, the erosion and control plan, and tree removals. Stormwater Treatment will be provided to mitigate the additional run-off volume of 835 cubic ft. to meet the requirements of the DEC Design Manuel. Percolation tests shall be provided at the area of the proposed drywells and documentation provided to the Village. Drywell design shall be adjusted as required. A Stormwater Maintenance Agreement will be required as part of approval.

In response to the Village Engineer, the Architect has replaced the unilock block walls with lower retaining walls. The driveway grades have been modified to have a driveway grade less than 10%. Information regarding the existing stormwater culvert has been added to the

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stormwater plan. The Applicant has checked the sanitary sewer conditions with the Building Inspector, and it is acceptable to have one sanitary sewer and water line into the 2-family house. The 100-year storm event has been addressed by adding additional drywells. The Planning Board received GML review from County Planning 10/2/23), the NYSDOT letter (9/9/23) indicating no impact, and reviews by the Village Engineer (10/9/23, 12/27/23, 5/30/25). The plans address existing trees, tree protection for the remaining trees, and a planting schedule for the proposed subdivision. There will be three serviceberry trees planted in front of the new two-family residence. the new single-family residence. The size of the street trees is 3" caliper. The width of the curb cuts in front of the garages is 22' for each unit. The project will provide 1,800 sf of open space where 1,000 sf is required by the Code.

### **II. Approved Plans:**

The following "*Subdivision of Property For 55 Catherine Street and Architectural Drawings for Proposed 2 Family Dwelling at: 55 Catherine Street, Nyack NY prepared by Haynes Architects P.C. dated 4/5/23 and last revised 6/16/25 and set of civil plans prepared by Gibbons Engineering P.C. dated 6/8/24 and last revised 6/16/25, unless otherwise noted are part of the approved plans:*

#### **Civil Plans**

- S-1        "*Existing Location & Proposed Site Plan*"
- S-2        "*Existing Site Plan*"
- S-3        "*Proposed Stormwater Management Plan*"
- S-4        "*Stormwater Details*"
- S-5        "*Stormwater Details*"
- S-6        "*Erosion Control*"
- S-7        "*Erosion Control Plan*"
- S-8        "*Erosion Control Schedule Notes*"

#### **Subdivision Plat and Architectural Drawings**

*"Subdivision of Property for 55 Catherine Street, Village of Nyack, Town of Orangetown, Rockland County, State of New York"*

- A-01        "*General Notes*"
- A-02        "*General Notes*"
- A-03        "*Photos*"
- A-04        "*Existing and Proposed Lot*"
- SP-01       "*Plot Plan Zoning Analysis*"
- SP-02       "*Site Plan*"
- SP-03       "*Grading/Landscaping Plot Plan*"
- SP-04       "*Site Details*"
- A-100       "*Details/Schedules*"

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- A-101            *"Proposed Plan"*
- A-102            *"Proposed Plan"*
- A-103            *"Proposed Plan"*
- A-104            *"Proposed Plan/Section"*
- A-105            *"Proposed Framing Plans"*
- A-106            *"Proposed Framing Plans"*
- A-107            *"Proposed Framing Plans"*
- A-108            *"Proposed Elevations"*
- A-109            *"Proposed Elevations"*
- A-110            *"Details"*
- A-111            *"Details"*

**(the "Approved Plans")**

**NOW, THEREFORE, BE IT RESOLVED** that the Preliminary Subdivision of the Property for 55 Catherine Street submitted by Saban Sinanaj, for the minor subdivision for two lots for property located at 55 Catherine Street is approved. The Final Subdivision Plat is in substantial agreement with the Preliminary Subdivision Plat and is likewise approved. The requested demolition of the existing residence on Lot 2 is also granted, subject to the following conditions:

- (a) The Applicant shall obtain all required state, county and local permits and approvals.
- (b) The Applicant will be appearing before the Architectural Review Board (ARB) on July 16, 2025 for review and approval of the proposed project.
- (c) The Applicant shall pay all outstanding consultant review fees and Building Department fees in connection with this application prior to the signing of the *Final Subdivision Plat* by the Chairperson of the Planning Board.
- (d) Prior to the issuance of a demolition permit for the existing residence on Proposed Lot 2, Applicant shall provide a demolition plan to the Building Department for review and approval by the Village Engineer and Building Inspector.
- (e) 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.
- (f) In accordance with the Rockland County Stream Control Act, the *Final Subdivision Plat* shall be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the plat is filed in the office of the Rockland County Clerk. .


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- (g) The Applicant shall present the approved *Final Subdivision Plat* to the Planning Board Secretary in a form provided by §360-5.8 (D) (3) (a) of the Nyack Village Code for the signing of the approved plat by the Chairman of the Planning Board.
- (h) Immediately upon recording of the *Final Subdivision Plat* in the office of the Rockland County Clerk, the Applicant shall submit to the Building Department written evidence of such recording together with a stamped copy of the filed subdivision plat.
- (i) Gibbons Engineering, PC. has submitted a Stormwater Pollution Prevention Plan Report for the Two Dwelling Units at 55 Catherine Street dated July 13, 2024 and revised April 25, 2025 with stormwater calculations for the review of the Village Engineer.
- (j) Prior to the issuance of a building permit, a *Stormwater Management Agreement* for the stormwater management facilities related to the construction of the two-family residence at 55 Catherine Street in a form satisfactory to the Village Engineer and Village Attorney, shall be fully executed and submitted to the Chief Building Inspector/SMO with proof that the Agreement has been recorded in the Rockland County Clerk's Office.
- (k) The existing culvert shall be televised both before and after construction and provided to the Chief Building Inspector/SMO.
- (l) Percolation tests shall be provided at the area of the proposed drywells and documentation provided to the Village. Drywell design shall be adjusted as required.

**VOTE:**

Ayes: 3  
Nays: 0

PLANNING BOARD  
Village of Nyack  
  
Laura Rothschild, Chairperson

Date: July 7, 2025