

September 1, 2025

VILLAGE OF NYACK

BUILDING

SER 04 2025

DEPARTMENT

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**Re: Minor Subdivision: 11 Fourth Avenue, Nyack, New York 10960
Applicant's Project Narrative**

Applicant is proposing a minor subdivision of 11 Fourth Avenue, Nyack, New York 10960. The objective is to create two lots- Lot A and Lot B.

Lot A

Lot A is proposed as a corner lot with frontage on Gedney Street (91') and Fourth Avenue (75'). Lot A is proposed as a 7,493 square foot lot. Applicant is proposing a conversion of an existing single-family dwelling to a two-family dwelling- a permitted use in the applicable Two-Family Residential (TFR) zoning district. The structure is proposed as a side-by-side duplex consisting of identical 3/4-bedroom 4-bathroom units occupying the 2nd and 3rd floor. The structure consists of a basement that is below grade plan with 3 stories above grade plan.

The proposed structure includes a common stairwell with elevator. The ground floor includes a shared foyer, gym, pantry and storage area. The basement garage includes 2 dedicated off-street parking spots for each duplex unit to satisfy the parking requirement. The backyard includes over 2,500 square feet of shared usable green space.

The structure as proposed requires the following variances:

Minimum Lot Area 10,000' sq. ft. required → 7,492.50' sq. ft. proposed

Lot Depth 100' feet required → 83.25' feet proposed

Building Stories 2 permitted → 3 Stories proposed

Building Height 32' feet permitted → 35' feet proposed

Lot B

Lot B is proposed as a 6,120 square foot lot with frontage on Fourth Avenue (68'). Applicant is proposing to build a two-family dwelling on a lot with an existing standalone two car garage and shed. The structure is proposed as a duplex with a unit on the 1st floor and a separate unit occupying the 2nd and 3rd floors- a permitted use in the applicable TFR zoning district.

The unit on the 1st floor is a subordinate 2-Bedroom 1-Bathroom unit. The second unit is a 4-Bedroom 3.5-Bathroom primary unit. The proposed structure includes an above-grade garage with 2 off-street parking spaces and 2 additional parking spaces in the driveway to satisfy the parking requirement. Each unit has a separate entrance. The backyard includes almost 2,000 square feet of usable green space.

The structure as proposed requires the following variances:

Minimum Lot Area 10,000' sq. ft. required → 6,120' sq. ft. proposed

Lot Width 75' feet required → 68' feet proposed

Lot Depth 100' feet required → 90' feet proposed

Building Stories 2 permitted → 3 Stories proposed

If the proposed minor subdivision is granted, separately both lots will be larger than the average size of existing lots in the surrounding neighborhood.

September 4, 2025

**Re: Minor Subdivision: 11 Fourth Avenue, Nyack, New York 10960
Applicant's Response to Village Engineer's Comment #3**

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Lot A: Justification for Topography, Design and Access Placement on Gedney Street

Lot A is situated on a corner with 92' feet of frontage on Gedney Street and 75' feet of frontage on Fourth Avenue. The existing home is elevated approximately 9' from street level on Gedney Street and approximately 8' on Fourth Avenue. We respectfully submit the following justification in support of our request to regrade and allow street level access to the proposed structure from Gedney Street.

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A key design consideration is emergency ingress and egress. If the proposed regrading is not permitted, the current elevated only access will create challenges for fire and EMS personnel in emergency situations. The proposed regrading and street level entrance facilitates faster and safer access, aligning with best design practices for residential safety and will be in harmony with existing lots on Gedney Street.

From a design and usability standpoint, the current elevated configuration poses a significant limitation in terms of resident and guest access. Entry would require stairs and/or ramps with extended lengths due to the 9-foot elevation, which not only presents a challenge to individuals with mobility limitations but also fails to support universal design principles. By regrading one side of the property, we can:

- Establish direct, street-level access that meets ADA accessibility guidelines.
- Eliminate the need for excessive exterior stairs or switchback ramps, improving overall site aesthetic, usability and safety.
- Add below grade garage parking and mitigate excess run-off from a sloped driveway. We will also reduce the use of limited on-street parking.

The proposed regrading plan is designed to maintain the integrity of existing slopes and drainage patterns and does not create adverse impacts to neighboring properties or public infrastructure. The key features include:

- Incorporating retaining walls and engineered slopes to stabilize graded areas. The retaining walls will follow the existing slope. Stepping up allows the retaining walls to follow the natural grade and reduces the need for excessive excavation and improves overall stability.
- Integrating drainage solutions such as seepage pits to manage runoff and prevent erosion or pooling. Eliminate the need for impervious sloped driveways. Sloped driveways exacerbate run-off by increasing water velocity and volume flowing off the impervious surface on to the public street.

- Ensuring the finished grade maintains appropriate setbacks and does not divert water toward adjacent lots or the public right-of-way.

The proposed regrading is within the tolerances of the soil and site conditions. Additional topographical information is provided at a 10' overlap for adjacent properties and structures, which ensures the regrading will not undermine the stability of the home's foundation or nearby structures. On the design plans, the proposed retaining walls are listed as maximum heights, and the proposed topography does not require maximum wall heights to achieve the design goal.

The proposed building design is consistent with the development patterns and existing structures on Gedney Street. Visually and functionally, providing street-level access enhances the home's integration with the neighborhood- specifically Gedney Street. The proposed design improves curb appeal and creates a more welcoming facade.

The proposed regrading aligns with other nearby homes that feature similar walk-out or partial basement configurations, which are typical in sloped terrain areas. Attached herein please see images of similar structures that are on Gedney Street and in the same TFR zoning district. The images illustrate the prevalence of street level garages and residential structures above the garage- similar to the proposed design.

Specifically, there are seven (7) townhouses immediately to the north of Lot A, which illustrate structures with street level garages and residential units above. The townhouses have brick face facades and driveway access from Gedney Street- similar to the proposed design. The proposed design incorporates cornices and architectural elements ubiquitous in the Village of Nyack. Additionally, the proposed building depth (33') is less than the existing townhouse depths (40'), making the proposed building less intensive.

101 Gedney Street is another example of a street level garage with residential above. 101 Gedney utilizes numerous retaining walls, brick facades and has a driveway with street level access from Gedney Street.

50 Gedney Street is another example of a street-level garage with residential above; with step-up retaining walls, brick facades, a driveway and street level access from Gedney Street. 50 Gedney Street is four (4) stories and the proposed structure would be less intensive. There are other examples of three (3) and four (4) story structures on Gedney Street and in the same Two-Family Residential district as the proposed lot.

Ultimately, there are approximately fifteen (15) properties that are located on Gedney Street and in the TRF zoning district. Of the 15 properties, at least eleven (11) of the properties have exterior similarities to the proposed design for Lot A.

Street level access on the longer side of Lot A (Gedney Street - 92') provides more flexibility in driveway design, allowing for smoother entry and exit with wider turning radius. This reduces the need for sharp turns when entering or leaving the property.

Gedney Street is the longer and more prominent street frontage which offers a better opportunity to orient the front facade and entryway for optimal visual impact.

The structure was designed to take advantage of sunlight and natural light optimization in key living spaces. This not only improves energy efficiency and comfort but also contributes to a brighter and more inviting interior environment throughout the day.

The design also maximizes usable green space and landscape design. Accessing the lot from the longer side allows for more efficient use of yard space, especially in the rear and side yards. It also adds more opportunities for thoughtful landscape design and outdoor living areas.

The proposed topography and design are the most logical, safe, and structurally sound solution to enhance accessibility, safety, and visual harmony with the neighborhood. We respectfully request the Board's approval of our design.

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FOURTH

LANE

LANE



PROPOSED NEW LOT LINE

GEDNEY STREET

257.4

105

139

WELL