



# Village Of Nyack

Incorporated February 27, 1883



## Asst Building Inspectors

Paul Rozsypal

## Fire Inspector

David Smith

## Code Enforcement Officer

Richard J. Siddi

Benjamin C. Wolford

## BUILDING DEPARTMENT

9 North Broadway

Nyack, New York 1096-2697

(845) 358 - 4249 / FAX: (845) 358 - 0672

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[buildingdepartment@nyack.gov](mailto:buildingdepartment@nyack.gov)

**MANNY A. CARMONA**

**Chief Building Inspector**

FORM LAST REVISED: 01/01/2025

# ZONING BOARD OF APPEALS REVIEW APPLICATION

☒ Formal Application

☐ Pre-application Meeting (pursuant to §360-5.4A)

Project Street Address: 128 First Ave Application Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Tax Map Designation: Section 66.30 Block 1 Lot 38.2 Property Classification: Detached One-Family

Project Location: On the North side of High Av approximately, 0 feet West from the intersection of High Ave and Jefferson St. in the Village of Nyack.

Acreage of Parcel 0.15 Zoning District TFR – Two-Family Residential District

Area of Disturbance 80 L.F. SWPPP: ☐ Yes ☒ NO Wetlands: ☐ Yes ☒ NO

Floodplains: ☐ Yes ☒ NO Natural Drainageways: ☐ Yes ☒ NO Slope > 25%: ☐ Yes ☒ NO

View Protection Overlay District: ☐ Yes ☒ NO \_\_\_\_\_

Water District NYACK WATER DEPARTMENT Sewer District ORANGETOWN ENV. MGT. -ENGINEERING

Project Description: (please attach a narrative summary). To replace existing 4-feet high wooden fence along the Jefferson Ave front yard with a 6-feet high wooden fence.

## CONTACT INFORMATION

	NAME/ADDRESS	PHONE #/ E-MAIL	LICENSE #
Applicant	Liz Weber	845-358-1297	
	128 First Ave, Nyack NY 10960	<a href="mailto:parishoffice@gracechurchnyack.org">parishoffice@gracechurchnyack.org</a>	
Property Owner	Grace Episcopal Church Babbit House	845-358-1297	
	128 First Ave, Nyack NY 10960	<a href="mailto:parishoffice@gracechurchnyack.org">parishoffice@gracechurchnyack.org</a>	
Architect			
<input type="checkbox"/> P.E. <input type="checkbox"/> P.L.S.	N/A		
Landscape R.A.	N/A		

Your application is hereby disapproved by the Chief Building Inspector and referred before the Zoning Board of Appeals for review, approval, approval with modifications or disapproval to be issued a permit by the Chief Building Inspector.

**§360-5.4B. Application Submittal. (5) Fees and Costs.**

☒ ONE-Family Dwelling      \$250.00      Receipt #/Date #02884 / 10/29/25  
☒ Public Hearing \$150 Receipt #/Date #02884 / 10/29/25 ☐ Escrow: \$ \_\_\_\_\_

**(b) Recovery of consultant costs.** In addition to the development fee, an applicant shall pay all costs billed by the Village for expenses incurred in review of an application, including fees from consultants hired to assist in the review. Escrow funds may be required, at the discretion of the Chief Building Inspector.

**(c) Outstanding fees and costs.** All fees and costs shall be paid by the applicant prior to scheduling of hearings and/or meetings for any development application. No new applications shall be accepted by the Village until all previous fees and costs associated with an applicant are paid in full by the applicant.

**(6) Outstanding municipal violations.** Applications for review and approval of any project shall not be deemed complete while there are outstanding municipal violations pending against the owner, owner's agent, or other entity making such application, where such municipal violations are outstanding against all or part of the premises which is the subject of the application.

☒ No Violations      ☐ Violations Pending (see attached)

**§360-5.4C. Determination of application completeness.** After receipt **one set** of complete submittal of the development application, the Chief Building Inspector shall determine whether the application is complete and ready for review.

**(1)** If the application is determined to be complete, the applicant will be notified of the additional number of copies required to be submitted for the application to then be processed according to the procedures set forth in this code. An application will be considered complete if it is submitted in the required form, includes all required information and supporting materials, and is accompanied by the applicable fee. The determination of completeness shall not be based upon the perceived merits of the development proposal.

**(2)** If an application is determined to be incomplete, the Chief Building Inspector shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected in a future resubmittal. The inclusion of false information in an application is grounds for determination that the application is incomplete.

§ 360-5.2B(1)(a) Decision-making body pursuant to § 7-712 of the Village Law of the State of New York.

§ 360-5.2B(2) Powers and duties. The Zoning Board of Appeals shall have the following powers and duties:

☒ (c) ☒ **Area** ☐ **Use variances** in accordance with the provisions of §360-5.4 & §360-5.10

**Decision-making authority & Public Hearing pursuant to §360-5.1, Table 5-1**

☐ (e) Upon the granting of a variance or special permit, to **impose such reasonable conditions** and restrictions as are intended to mitigate the impacts of such variance or special permit on the surrounding neighborhood and are directly related to and incidental to the proposed use of the property.

**Conditions:** \_\_\_\_\_  
\_\_\_\_\_

☐ (g) ☐ **Retain** ☐ **Counsel** ☐ **Clerks** ☐ **Secretary** ☐ **Engineers** ☐ **Architects**

☐ **Landscape-Architects** ☐ **Historic-Preservationists** ☐ **Planners** ☐ **Other** \_\_\_\_\_  
to assist the Board in the conduct of its official business.

**Application's conformance:** This application ☐ **conforms** ☒ **does not conform** to the Local Zoning and Planning Law of the Village of Nyack. **Applicant is seeking fence height variance from Article IV, Section 360-4.9B(1)(a)[1] on the front yard from 3-feet 6-inches to 6-feet.**

The following documents shall be provided:

☒ Photos of existing fence.

☒ Photos/specification of proposed fence.

☒ SEQRA EAF ☒ Short Form ☐ Long Form

☒ Narrative of the proposed project.

☒ Affidavit that the proposed work and applicant are authorized by the property Owner (if other than the owner is making the application).

☒ Public notice for hearing.

Date application given to applicant: 10/10/2025

Date application received by the Bldg. Dept: \_\_\_\_\_

Date application is determined to be complete: \_\_\_\_\_

Date of ZBA meeting: 10/27/2025 11/24/25

**§ 360-5.4E(3)(c). Posted notice.** The applicant shall post notice on the property at least 10 days before the scheduled hearing date. Such notice shall be of a dimension, design and materials as required by the Building Inspector. Notice shall be posted every 20 feet along the front yard, and one additional notice shall be posted conspicuously on each side yard and rear yard property line.

Notice was posted on: 11/12/25

JAMES SEVIER

Applicant Print Name

James Sevier

Signature

845-558-8690 (P)

PUBLIC COMMENTS: ☐ Opened \_\_\_\_\_ Date \_\_\_\_\_ ☐ Closed \_\_\_\_\_ Date \_\_\_\_\_

☐ APPROVED: \_\_\_\_\_ Date \_\_\_\_\_ to \_\_\_\_\_ Vote \_\_\_\_\_ Vote \_\_\_\_\_

REFERRED: ☐ PB ☐ ZBA ☐ NO

☐ DISAPPROVED: \_\_\_\_\_ Date \_\_\_\_\_ to \_\_\_\_\_ Vote \_\_\_\_\_ Vote \_\_\_\_\_

FOR THE FOLLOWING REASONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MANNY A. CARMONA  
Chief Building Inspector