



Village of Nyack Planning Board

February 2, 2026

Members Present:

Laura Rothschild – Chair - present
Kate Buggeln – present
Samuel Hart – present
Jennifer Knarich - present
Catherine Friesen - absent

Also Present:

Dennis M. Michaels, Esq. Village Attorney - present
Manny Carmona – Building Department - present
Bob Galvin – Village Planner - absent

Meeting opened by the Chair at 7:00 pm and introduced everyone.

Minutes for the December 8th 2025 were previously distributed and approved. There was not January meeting due to lack of quorum. The Chair polled the members of the Board regarding the issue of possible conflicts of interest regarding any of the applications. There were none.

Six items on the Agenda. The last two items (45 Route 59 and 25 Ackerman Pl) are on for adjournment purposes only and will be continued to the next Planning Board meeting scheduled for Monday, March 2nd at 7:00 pm in Village Hall. Public Hearing remains open for both.

For time purposes tonight, each speaker from the public will be limited to 2 minutes. If anyone has a written statement that they would like to submit, they will be added to the record.

- 1. 37 Piermont Avenue. All Star Realty Management. Legalization of demolition of a garage taken down without a permit.**

The Chair opens the public hearing.

Brian Conway, attorney with Feerick, Nugent & McCartney is representing the application. He states that his client has been working to resolve this issue. It is currently pending in Justice Court for the violation. We have gotten approval from the ARB. The garage was a very dilapidated structure. We do not have any photos of the structure before the removal. Owner wants to do the right thing.

The Chair asks the Village Attorney about status of violation. He said one thing has nothing to do with the other. Violation is for the removal of the garage without a permit. If they are granted approval retroactively, it helps, but the violation still has to go through the process.

Brian Conway states that his clients respect the process and want to get this resolved.

Clifford Parker, neighbor at 39 Piermont. House has been in his family for over 50 years. We were friends with the owners of 37 years back and granted an easement to them to use the driveway. It was a single-family home with 1 or 2 cars. Property has changed hands a few times and seems to have been converted to a multi-family. There is a lot more traffic now. We would like to know what is going on? Now that this is torn down, what are they planning? How do we know we're not going to wake up one day and they are doing something else?

Manny Carmona explains that the Building Department has guys out there checking properties. If that happens, we will be going through the same process of violations and court.

Nora Fleetwood also of 39 Piermont asks how they will be notified if something is going on and what is this property zoned as. Manny Carmona explained that this property is in the TFR Zoning District meaning Two-Family Residential. If a project is going before any Land Use Board, there will be posted notices in the same manner that this meeting was posted. In the event of any Variances with ZBA, published notices are also required. Agendas are posted on the Village website for all of our meetings. Nora Fleetwood suggests that he inspect the basement of 37 Piermont.

The Chair closes public comment and asks Board for any comment. Hearing none, Jennifer Knarich makes a motion to accept the application as presented. Seconded by Samuel Hart. Vote passes 4-0.

2. 53 Burd Street. Isack Weisz. Site Plan application for the conversion of an office building into a 7-family multiple dwelling with (2) 1-bedroom apartments and (5) 2-bedroom apartments as well as a referral to Zoning Board of Appeals.

Jenny Zuniga, Architect, explains that the property is currently used as office space but is presently vacant. Due to the demand for housing in the area, the owner proposes converting the existing office spaces into residential apartments. The project involves the adaptive reuse of the existing building, with minimal changes to the overall structure.

The building currently contains approximately six office spaces. The proposal would convert the building into seven residential apartments, generally consisting of two-bedroom units. Ms. Zuniga states that the existing layout will largely remain the same, with the addition of kitchens and updated bathrooms.

She further explains that the building is currently two and one-half stories, and the proposal includes modifying the roof slope to allow for two additional units on the upper

level. The roof will be reconstructed with an increased pitch and additional insulation. Solar panels are proposed for the roof as part of the energy improvements.

Ms. Zuniga states that 10% of the units will be designated for low-income housing, which allows for an increase in density under applicable regulations.

The Chair asks questions regarding the current occupancy of the building. Ms. Zuniga states that the building is currently vacant and no one is living there. She also asks about parking at the property. Ms. Zuniga explains that the planner (Joseph Webbick) has identified space for five parking spaces in the rear yard. Access to the parking area would be through an existing easement located behind the adjacent bank property.

The Chair raises concerns about the historic nature of the building, noting that the property was formerly associated with attorney Natalie Couch, a significant figure in the Village's history. The Chair notes that the property is over 100 years old and expresses interest in obtaining input from the Architectural Review Board (ARB) and potentially individuals involved in historic preservation.

Discussion follows regarding whether the building has formal historic designation. The Village Attorney explains that the building is not currently designated as a historic landmark under the Village code and that historic designation ultimately requires approval by the Board of Trustees, as well as the consent of the property owner. Kate Buggeln asks who can seek historic designation. Answer is the property owner.

The Board also discusses the proposal's classification under SEQRA (State Environmental Quality Review Act). The Village Attorney notes that if the project qualifies as adaptive reuse, it may be considered a Type II action, which would be exempt from environmental review. The determination may ultimately be confirmed by the Village Planner or Building Department.

The Chair raises questions regarding the structural capacity of the building, particularly given the addition of kitchens, plumbing, washers and dryers, and other residential infrastructure and expresses interest in having Village Engineer review the project.

Ms. Zuniga states that the project will include new plumbing, updated electrical systems, improved insulation, and reinforcement of the structural elements as needed. She confirms that sprinkler and fire alarm systems will be installed and that one-hour fire-rated separations between units will be provided in accordance with building code requirements. I have to do structural with an Engineer or I would be sued.

Discussion also occurs regarding fire safety, and the Building Inspector confirms that the installation of sprinkler systems will significantly improve safety within the building.

Kate Buggeln questions the increased infrastructure demand associated with the change from office use to residential use.

Following discussion, the Board agrees that an engineering review by the Village Engineer would be beneficial, and that an escrow account will be required to cover the cost of that review.

The Board also requests that the applicant provide additional information on the plans, including:

- **The existing and proposed building height**
- **Details regarding signage**
- **Exterior lighting**
- **Mailboxes and building entry/lobby layout**
- **Any proposed landscaping improvements**
- **Confirmation of parking and access details**

The Board notes that the application will also require review by the Architectural Review Board (ARB) and potentially the Zoning Board of Appeals (ZBA) for variances related to parking and other zoning requirements.

The Chair opens the public hearing for the application. No members of the public come forward to speak.

The Board determines that the public hearing will remain open, and that the application will return for further review once the requested information and reviews are completed.

The Chair announces that the public hearing for 53 Bird Street will remain open, and the application will be continued to the next Planning Board meeting on Monday, March 2nd at 7:00 pm in Village Hall.

80 S. Broadway. Dominick Pilla. Continuation of Site Plan application for the demolition of existing gas station and construction of a new 3-story mixed-use building containing retail space on ground floor and 18 residential units on upper floors. Parking will be provided in cellar and in front of building.

The Chair reopens discussion and makes an announcement that there is a clerical error on the agenda. This application is a 3-story project, not a 4-story project.

Dominic Pilla, representing the applicant, confirms that the Board has received the project submission materials, including the stormwater calculation package, engineering responses to

prior review comments, and correspondence addressing concerns raised by neighboring property owners.

The Board confirms receipt of correspondence from the Fire Department and asks whether members have had an opportunity to review it.

Discussion begins regarding the SEQRA (State Environmental Quality Review Act) process. Board members note that the site previously contained underground storage tanks associated with a former gas station use. Questions are raised regarding whether soil testing has been conducted and whether the Board is prepared to adopt a Negative Declaration under SEQRA.

Dominick Pilla explains that the Environmental Assessment Form (EAF) has been submitted and that Phase II environmental testing will be conducted following project approvals. The Village Planner, participating by telephone, explains that records from the New York State Department of Environmental Conservation (DEC) indicate prior spill incidents at the site, all of which have been reviewed and closed by DEC.

The Chair expresses concern that because the tanks remain in the ground and additional testing has not yet occurred, it may be premature to conclude that the project will have no environmental impact, particularly given the proposed conversion of the site to residential use.

Bob Galvin explains that under SEQRA procedures, the Planning Board must determine whether any observable or known environmental impacts exist based on currently available information. Should additional environmental issues be identified through future testing, there is a mechanism within SEQRA regulations to reopen the environmental review process if necessary.

Dominick Pilla emphasizes that adoption of a Negative Declaration is necessary in order for the project to proceed through the remaining review stages, including further engineering review, Architectural Review Board consideration, and responses to agency comments. Without that determination, the application cannot advance.

At this point the Chair states that she find the applicant to be offensive and asks him to take a seat. He states that he is not taking a seat. The Chair announces that the Board is taking a 5 minute break.

Following discussion, Board members indicate that they would want the record and minutes to reflect that the Negative Declaration determination would be based on currently observable conditions, and that any new environmental information uncovered through testing would be addressed through the appropriate regulatory processes.

The Board then proceeds to discuss parking for the development. Dominick Pilla states that the proposal provides 22 parking spaces, including the required accessible space, which meets the Village's parking requirement. Some spaces are located beneath the building, with additional spaces at street level in front of the structure.

The Chair raises questions regarding whether the parking configuration might conflict with potential fire access requirements. The Board requests that the Fire Department review the parking layout, including whether a fire lane may be necessary.

The applicant notes that the plans were previously provided to the Fire Department and that additional copies will be submitted to ensure they have a complete set of plans for review.

Discussion continues regarding how parking spaces would be allocated to tenants. Dominck Pilla explains that spaces would generally be assigned to residential units, with management responsible for enforcing parking assignments through signage and numbering.

The Chair brings up architectural considerations raised by the Architectural Review Board (ARB), including suggestions to add additional architectural detailing near the roofline and façade. The applicant indicates willingness to incorporate additional architectural elements as the project continues through ARB review. She also asks about the possibility of removing a bench and adding a fountain element.

Additional questions are raised regarding building operations, including:

- Exterior lighting
- Signage and potential building name
- Mail room location
- Trash management and waste removal

Dominck Pilla states that the building will include a trash compactor and chute system located in the basement, with waste removed periodically by service vehicles. A building superintendent will also be responsible for management of the property. The Village Board was not willing to give a Special Permit for a 4th story. You have 4 stories on South Broadway and you have 6 stories on South Broadway.

The Chair opens the public comment portion of the hearing.

Stephen Honan, attorney, representing the owner of the adjacent property at 88 South Broadway, addresses the Board. He provides a letter from the Nyack Joint Fire District requesting an opportunity to review the plans and asks that the Fire Department be provided with the most recent project documents. He also raises concerns regarding the parking configuration, stating that the design effectively places a parking area in front of the building, which he believes may negatively affect pedestrian activity along South Broadway.

Manny Carmona states the the Fire Inspector hand delivered the plans to the Fire Department and gave them to one of the Fire Commissioners, but I will personally deliver another set tomorrow.

The Chair confirms that the Fire Department will receive an additional copy of the plans and that their comments will be considered as part of the review process.

Another member of the public, John Gromada, a former Planning Board member, comments on the SEQRA process. He expresses the opinion that the Board should consider issuing a Positive Declaration in order to require a full Environmental Impact Statement (EIS) due to the former gas station use and the potential for environmental contamination. He is very happy to see that the Board is taking this issue seriously.

Stephen Honan, attorney of a neighboring property also comments, referencing the January 26 engineering review letter, which lists several technical issues including drainage, stormwater management, and lighting impacts. He states that these issues should be resolved before a Negative Declaration is considered.

Dominick Pilla states that the engineering comments are part of the normal review process, and that further technical responses, including a Stormwater Pollution Prevention Plan (SWPPP), are being prepared.

The Village Attorney explains that Positive Declarations are rarely adopted because environmental issues are typically addressed through revisions and consultant review during the application process. The Board relies on its professional consultants, including the Village Planner and Village Engineer, to determine whether potential significant impacts exist.

The Village Attorney further explains that a Negative Declaration indicates that no significant adverse environmental impact has been identified at the current stage of review, whereas a Positive Declaration would trigger a lengthy Environmental Impact Statement process.

Dominick Pilla states that if we don't get a Neg Dec, we cannot move other parts of this forward. I need to know why so that I can do what is required. Without a Neg Dec, I cannot move forward.

Discussion continues among Board members regarding the appropriate course of action under SEQRA and the procedural requirements necessary for the application to proceed.

The Chair states that she is not comfortable adopting a pure Neg Dec and would be more comfortable putting in some conditions like leaking tank, ground water, air quality, vapor barrier.

Dominick Pilla says your Planner did everything you just asked for. Dennis Michaels states that if we add all of these things, it is a Positive Declaration.

Samuel Hart asks if we do a Neg Dec now and something comes up, he is comfortable knowing that if anything changes, it will have to come back to us.

Kate Buggeln says that Neg Dec is based on what is observable today. No reason to believe otherwise. If and when something does come up, it will come back to us.

Dennis Michaels states that this is an Unlisted Action under SEQRA.

Dominck Pilla states that SWPPP has to be done, soil boring and environmental testing has to be done. Nec Dec is a formality but it allows project to move forward.

Samuel Hart is ok with giving Neg Dec as well as Kate Buggeln and Jennifer Knarich. Kate Buggeln would like this whole conversation in the Minutes. We are talking about a gas station site. We would look foolish as a Planning Board if we did not have a robust conversation about it.

Samuel Hart makes a motion to approve the Village Planner's Neg Dec. Kate Buggeln seconds. Vote is passed 3-1.

The public hearing for 80 South Broadway will remain open until the next Planning Board meeting on Monday, March 2nd at 7:00 pm.

4. 11 Fourth Avenue. Shenley Vital. Continuation of Site Plan application to demolish a detached single-family dwelling for a two-lot subdivision and to develop a new detached two-family dwelling on each new lot.

Nicole Vital, representing the applicant, states that Shanley Vital was unable to attend and she is appearing on his behalf. She explains that following the previous Planning Board meeting, the applicant updated the site and engineering plans to address comments from the Village Engineer, including those contained in the January 27, 2026 engineering review letter.

Ms. Vital confirms that a written response to the engineer's comments has been submitted and included in the application materials, along with updated renderings.

She further clarifies that:

- No retaining walls will exceed 6.5 feet in height
- No front yard walls will exceed 3.5 feet in height
- Any references to wall heights exceeding six feet in the plans reflect below-grade measurements, whereas Village Code regulates height above grade

Ms. Vital concludes by stating that all remaining responses are contained in the written submission and that she is available to answer questions.

The Chair confirms receipt of the applicant's written submission and notes that multiple written public comments have been received, including:

- A February 2, 2026 letter from Marian Rubon
- Additional letters from neighboring residents, including correspondence submitted on the day of the meeting

The Chair states that all written submissions will be entered into the record and included in the minutes, but will not be read aloud.

The Chair opens the public comment portion of the hearing and reminds speakers that comments will be limited to two minutes per person.

Public Comment

Gail Greiner, speaking on behalf of neighboring residents, submits a petition signed by approximately 20 individuals in opposition to the application. She states that the proposal is presented as a minor subdivision, but in her view constitutes a major subdivision that would result in overdevelopment of the site. She expresses concern that the proposal represents a continuation of prior applications by the developer seeking higher density uses and argues that the requested relief reflects a self-created hardship. She urges the Board to uphold Village Code requirements and deny the application.

Jeff Benjamin, an attorney, states that he recently reviewed a New York State Supreme Court decision involving what he believes to be a related prior application for the same property. He states that the court upheld the Zoning Board of Appeals' denial of a prior proposal involving a multi-family use and suggests that the current application may be precluded by that decision.

The Village Attorney clarifies that the matter referenced is currently under appeal.

Chris Carroll, a Village resident and member of the Fire Department, speaks about public safety concerns. He emphasizes the importance of building codes, zoning regulations, and safety standards, stating that any deviations from established requirements could increase risks for emergency responders. He urges adherence to applicable codes.

The Chair clarifies for the public that the Planning Board does not grant variances, and that such matters fall under the jurisdiction of the Zoning Board of Appeals (ZBA). The Village Attorney provides a brief explanation of the distinction between Planning Board and ZBA responsibilities, noting that the Planning Board focuses primarily on site plan issues such as drainage, layout, and development impacts.

Elizabeth Gott, 104 Gedney, raises concerns regarding drainage and stormwater runoff. She describes significant existing water flow conditions on the site and expresses concern that excavation and development could worsen runoff conditions for neighboring properties. She also raises concerns regarding construction impacts and neighborhood character.

John Grammada, 8 First Ave, expresses concern that the project is inconsistent with surrounding properties and urges the Board to conduct a full environmental review under SEQRA. He questions

statements made in the Environmental Assessment Form regarding water demand and encourages the Board to carefully evaluate the application's environmental impacts.

Julie Monaharan, 40 Third Avenue, speaks in opposition to the application. She states that the proposal is inconsistent with the character of the neighborhood and raises concerns regarding density, building scale, and property maintenance. She also expresses concerns about potential impacts to her property, including loss of privacy and damage to existing structures.

Eugene Reiss, a current occupant of the existing property, states that the building is currently maintained and disputes statements made regarding conditions at the property.

Janet Goodman, 103 Gedney, asks whether the proposed units will be for sale or rental, and raises concerns regarding parking availability.

Daniel Fenjves, 16 Fourth Ave, expresses support for development in general but opposes the current proposal due to its density and deviation from zoning requirements. He encourages the applicant to work collaboratively with neighbors to develop a more acceptable plan.

Andrea Pittari, a nearby resident, raises concerns regarding the intended use of the property, noting prior occupancy patterns that she believes may not conform to zoning. States that home is currently being used as a rooming house. She questions how compliance will be enforced if the project is approved.

Jill McCabe, 46 Third Ave, expresses concern regarding inconsistencies in zoning enforcement, noting that she was previously denied improvements to her own property while the applicant is proposing significant excavation and development. She raises concerns regarding impact to the hillside and surrounding properties. What if our homes start to shift? We have older homes and they will be digging out the bottom of the hill. These buildings are huge. They don't belong here.

Miriam Rubinton, 30 Third Ave, lives right next to Lot A. This will be a multi-family right up against my property. They can call this building whatever they want, but it is set up as a multi-family building with elevators and common areas. Once it is built, there is nothing we can do to stop it. There is a stairwell integrated throughout all the floors. Overdevelopment of the site will be detrimental to the neighboring properties.

Levander Taliafera, lives at 30 Third Ave, states that this developer did the same thing in 2023, 2024, 2025 and 2026 – same thing year after year. In Clarkstown in 2023 he tried to build a 25,000 sq ft "living facility". The Zoning Board there rejected it calling it a cloak for a multi-family structure. You can put lipstick on a pig, but it's still a pig. We need true development within the confines of our Zoning Code. This is not impossible. People do it without needing 49,000 variances. He doesn't live here and he can't live here as the Mayor of Spring Valley.

Corey Paradeau, 28 Elysian Ave, South Nyack, states that this project is not a traditional two-family. Would like clarification of these common spaces. I'm trying to understand how a party room relates to a two-family house.

Nicole Vital, applicant responds to concerns. These will be rental units. Water runoff during construction will be addressed. There will be trees and vegetation. This property is not currently being used as a rooming house. They are 3 people who choose to live together.

Manny Carmona explains that when there is excavation, Engineering will be involved. The Building Department issues a CO at the end. If anything diverts from that, the Building Department will step in.

The Chair states that we cannot mandate that they have a Super or a Management Company. I would like to have a traffic study done. 101 Gedney Street comes up and exits at Gedney and Fourth. We will need to establish an escrow. We also need to see landscaping, lighting, streetscapes. We should also see view corridor renderings.

Kate Buggeln asks what is inherent in the design that would prevent a third unit in the shared space?

Manny Carmona states that the Planning Board does not have jurisdiction on the inside of the building. All of that will be handled through the Building Department and Code requirements.

The Chair states that we will need to have Eve's comments on this. We have asked for a traffic study and asks the Village Attorney about Lead Agency.

Dennis Michaels states that the Planning Board needs to issue a NOI to act as Lead Agency on this. Notices should be sent to ARB and ZBA since this application also needs to go before Architectural Review and Zoning Board.

Jennifer Knarich is so moved to accept what is recited by legal counsel and seconded by Laura Rothschild.

The Chair states that we will hold this application open until the next Planning Board meeting on Monday, March 2nd at 7:00 pm here in Village Hall.

The Chair closed the meeting at 9:43 pm.

The Clerk/Secretary to the Planning Board of the Village of Nyack is hereby authorized, directed and empowered, by the Planning Board, to sign these Minutes, and to file a copy thereof in the office of the Village Clerk:



Mary Screene, Clerk/Secretary

URGENT: Opposition to "Minor Subdivision" Application at 11 Fourth Ave-Please forward to Planning Board Chair

From Gail Greiner <gail.greiner@gmail.com>
Date Sat 1/31/2026 4:24 PM
To Mary Screene <maryscreene@nyack.gov>

This email originated from outside of the organization.

Dear Mary,

Will you please forward this to the Planning Board? The email address on the website (planning@nyack.gov) doesn't appear to be working.

Thank you.

Sincerely,

Gail Greiner

Dear Chairperson and Members of the Board,

I am writing to formally state my opposition to the proposed minor subdivision at 11 Fourth Avenue. While I want to be clear that I am not opposed to Mr. Vital as a neighbor, I am deeply concerned by the technical, legal, and safety implications of this specific proposal.

As the January 27th Village Engineer's report states, "the existing lot is not of sufficient size to accommodate two conforming lots." This project relies on a pattern of seeking significant variances to bypass the standards that protect our neighborhood. I urge the Board to deny this application based on the following:

I. Self-Created Hardship (NYS Village Law § 7-712-b)

The "hardship" cited by the applicant is entirely self-created. Mr. Vital purchased this property with full knowledge of its dimensions and R-2 zoning. Proposing a subdivision on a lot that is nearly 40% smaller than the legal requirement is a business decision, not a hardship imposed by the land. Under New York State law, a self-created hardship does not justify the granting of area variances.

II. Pattern of Incompatible Use and "Atypical" Definitions

This proposal follows a concerning history of attempts to circumvent zoning through the use of atypical project definitions. While labeled "two-family homes," these plans

include a lobby, elevator, gym, and large "common spaces." As noted by the Village Engineer, these features are "not typical of a two-family home" and are instead characteristic of multifamily apartment buildings. I ask the Board to reject this attempt to misclassify a high-density complex in order to evade the stricter density and parking regulations of the Village Code.

III. Drainage and Excavation Risks

The plan requires an average 8-foot deep cut into the earth and 9-foot tall retaining walls along the property line. The Engineer has raised serious concerns regarding the "structural integrity and long-term viability" of the trees and land on adjoining properties. This level of regrading creates significant risks for water runoff and soil instability for all downhill neighbors.

IV. History of Code Non-Compliance

My concerns regarding the future management of this site are rooted in the current state of 11 Fourth Avenue. The property has an observed and documented history of neglect, including overcrowding with renters, an unpermitted basement unit, and a lack of basic functional amenities such as a working stove. A developer who currently evades basic safety and building codes should not be granted extraordinary, discretionary variances to increase density on that same site.

V. Fire Safety and First Responder Infrastructure

The applicant has suggested that raising the berm is intended to assist first responders. However, the current plan appears to remove existing fire hydrants while doubling the residential density on an undersized lot. This creates a clear contradiction: increasing the density of the lot while reducing the infrastructure necessary for fire suppression. This, combined with the existing fire hazard posed by the current illegal basement unit, represents an unacceptable risk to the community.

I ask the Planning Board to uphold the integrity of the Nyack Village Code. Granting these variances would set a precedent that allows developers to redefine project types to suit their own needs rather than the safety and character of the community.

Respectfully,

Gail Greiner
14 Fourth Avenue
Nyack, NY 10960

Fwd: Opposition to minor subdivision application-11 4th Avenue

From nick del pizzo <ndelpizzo354@gmail.com>

Date Sun 2/1/2026 10:59 AM

To Mary Screene <maryscreene@nyack.gov>

This email originated from outside of the organization.

Sent from my iPhone

Begin forwarded message:

From: nick del pizzo <ndelpizzo354@gmail.com>

Date: February 1, 2026 at 10:25:59 AM EST

To: planning@nyack.gov

Subject: Opposition to minor subdivision application-11 4th Avenue

Dear Chairperson and Members of the Planning Board,

I am writing to express my opposition to the pending application for the property located at 11 4 th Avenue. I am writing because I am unable to attend the planning board meeting on Feb. 2.

I live at 35 4 th Ave and have lived there since 1986. I strongly object to the proposed application, for all the reasons so cogently expressed in the letter to the board from my neighbor, Gail Greiner.

I am particularly concerned about the history of non compliance with applicable codes associated with this applicant, and his cavalier attitude regarding codes, expressed by his suing the village claiming officials didn't understand the meaning of "clubhouse ", and this current pending application for another "clubhouse " style project.

Because the applicant referenced a history of housing discrimination in our Village in his lawsuit, I note that our 4 th Ave neighborhood is a diverse neighborhood, as is our Village of Nyack, and a fair and just application of building codes and zoning laws protects everyone!

Very Respectfully Submitted,

Nick Del Pizzo

Sent from my iPhone

Submission for Planning Board - Opposition Letter 11 4th Avenue - Vital Subdivision

From Miriam Rubinton <mrubinton@yahoo.com>

Date Mon 2/2/2026 9:29 AM

To Mary Screene <maryscreene@nyack.gov>

 1 attachment (46 KB)

Submission for Planning Board2 11 4th Ave Rubinton.pdf;

This email originated from outside of the organization.

Hi Mary,

Please accept the attached letter regarding the application for 11 Fourth Avenue, Lots A and B. I am the owner of 30 Third Avenue and am submitting this for inclusion in the record and for distribution to all Planning Board members for review before the meeting tonight if possible.

Kindly confirm receipt and let me know once it's been distributed.

Thank you for your time and assistance.

Sincerely,

Miriam Rubinton
30 Third Avenue
Nyack, NY 10960
mrubinton@yahoo.com
917-855-7595

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February 2, 2026

Village of Nyack Planning Board
Re: 11 Fourth Ave, Nyack, NY 10960

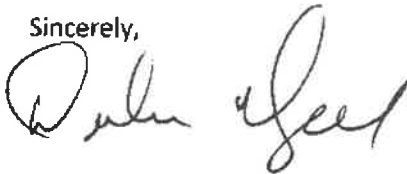
As a concerned resident of Nyack, I am writing in opposition to the proposed project at 11 Fourth Ave for a two-lot subdivision and to develop a new detached two-family dwelling on each new lot, proposed by owner Shenley Vital. I believe this project raises serious concerns in regards to density and maintaining the character of the neighborhood.

The increase in density alters the traditional single-family nature of the immediate area. The structure proposed for Lot A looks very much like a 3-4 story apartment building. It does not have the look of any two-family home in Nyack and is outsized for the surrounding homes and proposed lot size. This area of Nyack, with the existing apartment buildings, is already overcrowded. Mr. Vital is asking for a variance to sub-divide a lot with the total square footage of 13,612.50' sq. ft. into two two-family lots that, in keeping with zoning regulations, would require 20,000' sq ft. Mr Vital's proposal includes a total of 13 bedrooms between the two structures, which could easily translate into 26 people living in a small area contributing to the overcrowding and a drain on infrastructure of the town as noted in the Full Environmental Assessment form, #13 Impact on Transportation.

In the application the owner states that "modern design trends focus on incorporating shared foyers, internal lobbies, and shared amenity spaces to maximize marketability, design efficiency and reduce costs. The presence of shared foyer areas and amenities may not be typical of older two-family inventory, but they are not unusual for modern, accessibility driven developments." Does the owner have proof of this fact? I myself have never seen or heard of two-family homes with shared amenities of this kind. No realtor that I have spoken to have ever received requests or heard of two-family homes incorporating shared spaces in this way, with pantries, shared bathrooms, and kitchen, etc. As Mr. Vital notes this type of shared living property is not typical of 'older two-family inventory' as might exist in the surrounding neighborhood that consists of older homes, making this proposal excessively dissimilar to the surrounding neighborhood as noted Full Environmental Assessment form, #9 Impact on Aesthetic Resources and #18 Consistency with Community Character.

Zoning laws exist to ensure orderly, safe community development, protect property values, prevent incompatible land uses, and manage infrastructure. Making allowances for this project to move forward would set a bad precedent for future proposals. In addition, the intentions for the actual use of the buildings with a common space, kitchen, and bathrooms, is very unclear. This project feels very much like Mr. Vital's previous proposal for this property, to erect a 'clubhouse'; same proposal just a different name.

Sincerely,



William Nagle
98 Sixth Avenue
Nyack, NY. 10960