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Land Surveying and Land Planning

VILLAGE OF UPPER NYACK
AMENDED CHAITIN SITE PLAN

June 29, 2021

This updated narrative addresses the following items that were requested by the Planning Board with regard to the subject amended site plan:

1. Topo plotting of westerly portion of site to enable comparison with original site plan and revised site plan that was approved by the Planning Board in 2008, which plan showed the proposed pool, the proposed dock, sea wall and a modified limit of disturbance.
2. The proposed dock shown on the above 2008 plans was amended in the permitting applied for to the ACOE and the permitting plans and ACOE review / approval are submitted herewith. The current plan depicts compliance with the ACOE review / approval.
3. Photos of the westerly portion of the site (to be supplied by the applicant / owner).



(Below is a Narrative Summary Previously Submitted)

CHAITIN SITE PLAN—617 NORTH BROADWAY, UPPER NYACK, NY
NARRATIVE SUMMARY

March 28, 2021

The applicant submits this proposed site plan to address the addition of two stone pillars at the entrance to the driveway, the deck area surrounding the pool, and to include a fence around the pool area to comply with safety requirements. The modified elements of the site are shown on a plan prepared by Jay A. Greenwell, PLS dated January 6, 2014 and last revised October 12, 2020. The plan shows the stone pillars, and pool deck in their as built condition and the proposed pool fence. The plan also shows the coverage calculations based on the applicable law and as previously approved.

This property was the subject of two prior applications to the zoning board of appeals for variance requests for maximum coverage of lot by buildings and structures. The first variance for the construction of the dwelling was for 27% coverage versus the 25% permitted. That application was approved on September 18, 2007. The house received a certificate of occupancy pursuant to the that variance application and the Planning Board's site plan approval. The second variance was to address certain as built changes to the site and was for 27.4% coverage. That application was approved on April 15, 2008.

Both of the prior applications were based on net lot area that was reduced by slope area calculations. However, section 6.6 of the Village of Upper Nyack Zoning Ordinance provides for lot area calculations that reduce the gross area due to steep slopes, rock outcrops, and "land underwater" but specifically excludes the application of that section to all lots created before the filing date of Local Law #14, which was December 16, 2004. Since this lot was created prior to the inception of the Local Law, slope area reduction should not have been applied to the gross lot area. Accordingly, the actual coverages should be 27.2%, which are less than what was previously approved.

At this time, the applicant is seeking a reaffirmation of the variance of 27.2% coverage to address additional coverage items installed on the site, and as shown on the survey submitted here with. The variance is less than the variance actually granted of 27.4% back in 2008.