

Project Goose  
Planning Board Meeting  
June 2022

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# 1. Narrative

## **Overview**

We are pleased to present Project Goose (the “Project”), a meaningful repositioning of 11 Tompkins Court in Upper Nyack that dramatically enhances the property’s aesthetics, environment, and safety. The Project team appreciates the feedback it has received since October 2021 and has incorporated those comments in the following pages. It is noteworthy that the Applicants previewed this Project with its Homeowners Association on April 4, 2022 and in doing so received no comments (Section 8b). In discussion with the HOA, unanimous enthusiasm for the project included appreciated investment in the neighborhood, desire to meaningfully improve existing and deteriorating conditions, and enhancements to property value.

## **Background**

11 Tompkins Court, Tax Lot 60.14-1-12.7 (“Lot 7”) on the Town of Clarkstown tax maps, sits proximate to the Hudson River having a net lot area of 36,108 square feet<sup>1</sup> in the R-30 zoning district. Lot 7 is located in the Rose Subdivision, an average density subdivision that established unique bulk requirements for these lots in 1999 (Sections 9a and 5a). The existing dwelling is a traditional, white, two-story single-family house covering 3,293 square feet (9.1%) of Lot 7. Additional structural improvements include a driveway, pool, multiple patios, and walkways with Development Coverage of 11,684 square feet (32.4%), all of which is Impervious Surface Coverage. See Existing Coverage Map, Section 3a.

## **Repositioning Tenets**

We believe our four Project tenets are consistent with The Village of Upper Nyack’s Comprehensive Plan of 2021.

1. Substantially improve the overall design aesthetic of the dwelling
2. Improve environmental and safety conditions of the property
3. Beautify the landscape
4. Limit incremental development coverage

## **Key Project Elements**

Barnes Coy and Laguardia Design Group have partnered to deliver a modern, artistic approach to the natural beauty typified by Upper Nyack.

*Starting with the premise that architecture begins with the site, the theme of the project at 11 Tompkins Court in Upper Nyack is to transform the ordinary existing structure into an architecturally distinguished house, worthy of this extraordinary site.*

*The principal characteristic of the design envisions a complete replacement of the East facade (facing the river), with a glass curtainwall articulated to take advantage of views of the riverscape to the north, east, and south.*

*The other major design intervention is to replace the swimming pool with a longer, slimmer pool which will define the entire width of the terrace from north to south. The pool will feature a zero edge on the river side, creating a visual illusion of the pool water flowing into the river. The pool terrace design also foresees a 2-0” retreat from the river of the terrace and pool retaining wall, as well as replacing the blank white wall below the pool with a glass wall. – Barnes Coy Architects*

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<sup>1</sup> Lot 7 area is comprised of 36,108 square feet of Dry Land and 61,522 square feet of Land Underwater. Lot 7 is a part of an average density subdivision as filed 7/9/1999 on Map 7279, Book 120 Page 11 ([Section 9a](#)). The subdivision includes a conveyance of the lands underwater via a Letters Patent dated July 23, 1873, recorded in Book 42 of Patents at page 297 which conveyed the 6.099-acre parcel of land (as well as others) to Mr. Voorhis ([Section 9a](#)). The Office of General Services has affirmed that the New York State has no interest in the lands under water and that they were legally and appropriately conveyed for the purposes of commerce or the beneficial enjoyment to the landowner.

*The landscape design for 11 Tompkins Court is aesthetically pleasing, while also ecologically appropriate. The proposed design reestablishes a connection between the property and its greater environmental context.*

*The clean lines of the architecture are echoed in the layout of the key landscape spaces.*

*The edges of the proposed home are softened by lush plantings, blurring the edges between site and structure.*

*Native plantings will be used throughout the site to provide habitat for local wildlife.*

*Biofiltration rain gardens will capture and filter site runoff as it recharges into the surrounding watershed.*

*The result of this holistic landscape design is a project that enhances both the aesthetics and ecological qualities of the site and surrounding area. – **Laguardia Design Group***

#### *Driveway*

- Install an automated gate at entrance of driveway
- Replace the existing non-permeable driveway with a NYSDEC compliant permeable surface<sup>2</sup>

#### *Front Yard*

- Meaningfully increase tree and shrub plantings in the front yard to provide a buffer between the house and the driveway
- New koi pond with floating pavers leading to the front door
- Area to support geothermal wells

#### *Roof*

- Replace existing composite roof with a black standing seam zinc roof

#### *Western (Front) Elevation*

- Enhancements to front elevation are sophisticated yet understated without meaningful height changes so as not to disrupt neighborly views
- Refresh façade with dark, sustainably sourced, shou-sugi-ban cladding and larger windows facing the driveway
- Enhance presence of entryway with a glass and steel butterfly-shaped canopy
- Increase garage capacity from two cars to four cars utilizing a mechanical car lift. Maximum height of dwelling in this area increases two and a half feet.

#### *Northern (Side) Elevation*

- Predominately cosmetic changes increasing quantum of windows

#### *Eastern (Rear) Lower Level Elevation*

- Northern two-thirds of floor plan extended East by an average of 8 feet and walls and windows replaced with a glass curtain wall
- Southern third of floor plan extended East by 14 feet on the lower level over existing patio and 18 feet on the upper level and includes mostly floor to ceiling windows
- DRPILLA has been retained to calculate and verify the structural adequacy of the (i) glass curtainwall and (ii) glass roof against snow, ice, wind, water, and tectonics

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<sup>2</sup> NYDEC website ([https://www.dec.ny.gov/docs/water\\_pdf/swdm2015chptr05.pdf](https://www.dec.ny.gov/docs/water_pdf/swdm2015chptr05.pdf)).

### *Eastern (Rear) Basement Elevation*

- Maximizes dwelling improvements while minimizing incremental development coverage through creative buildout under existing pool deck coverage
- Pool deck moved inland a few feet
- Existing southern stairwell replaced and refreshed with a modernized stairwell
- A finished concrete palate used to soften existing white pool wall color and provide a more natural aesthetic
- DRPILLA has been retained to calculate and verify the structural adequacy of the window framing against wind, water, and tectonics

### *Southern (Side) Elevation*

- Additional windows and recladding

### *Pool Deck Area*

- Replacement of in-ground pool with infinity-edge pool
- Inclusion of planters behind deck chairs
- New York State compliant safety fences will be installed around the property

### *Southern Garden Outside Offices*

- Bird and sculpture garden
- Area enclosed by boxwoods
- Specimen tree underneath which bird feeds and a bird bath
- Area remains flat and supported by a retaining wall that improves upon the existing retaining wall's coloration

### *Northern Yard*

- Natural pathway with steppingstones
- Replanting most of area
- Bioswale created to address 800 square feet of existing drainage issues (Section 2c)
- Creation of a Cat Garden to facilitate outdoor interaction of the Applicant's indoor housecats

### *Northeastern Erosion Area*

- Steep slope stabilization and erosion mitigation through vegetative plantings and terraces (Section 2c)
- Nearly 1,300 square feet remediated
- Retaining walls will be no more than six feet and are intended to be complimentary with surroundings
- Existing slopes, as mentioned in the Zoning Summary, are not original to the landscape

### *Southern Yard*

- Bioswale created to address existing drainage issue (Section 2c) - approximately 1,100 square feet of steep slopes improved
- Terraced al fresco dining area next to pool steps improves drainage and site stability - nearly 900 square feet of steep slopes remediated
- Rock retaining wall and patio replaced with stairs from driveway
- Installation of backup generator where existing pool equipment is located resulting in a smaller footprint in this area

### *Upper Level Floorplan*

- Guest bathroom added
- Laundry and mud room expanded

- Bedrooms slightly enlarged
- Installation of an elevator
- Replace straight staircase with a spiral staircase

#### *Lower Level Floorplan*

- Open kitchen, living room, dining room floor plan
- Smaller spiral staircase installed to provide access to basement
- Fireplace moved to center of smaller spiral staircase
- Adds two offices
- Kitchen expands
- Existing areas replaced by a library
- Powder room moved
- Existing room replaced with cabana bathroom
- Mechanicals moved

#### *Basement Floorplan*

- Entire area built out under existing pool infrastructure, no new development coverage
- New recreation floor to include entertainment area, gym, sauna, bathroom, and massage room
  - Most of this area remains mostly subterranean
- Additional areas built out to include storage rooms and contain pool equipment
  - All of these ceiling heights to be not more than seven feet
- DRPILLA has been retained to calculate and verify the structural adequacy against weight, wind, water, and tectonics
- The Basement elevation targeted at a minimum elevation greater than 9.1 feet (100-year flood plain plus 2.1 feet)

#### *Tree Removal and Replanting Plan*

- LaGuardia Design Group has created a comprehensive tree removal and replanting plan in connection with this Project
- Generally, tree removal of any significance is expected to be limited to site improvement or to facilitate construction activities. Indication of tree retention and removal is contained in Section 7.
- Site replanting and restoral activities will be extensive and more abundant than existing conditions. An indicative list and quantum of trees, shrubs, grasses, and vines is contained in Section 7.

#### *Lighting Plan*

- Site lighting predominately limited to path lighting and stairwell lighting. See Section 7.
- The proposed electrical plan is developed in compliance with general lighting standards and “dark sky” criteria as described in Section 6.6.1 of the zoning code.

**Zoning Summary**

As required by §10.5.17 of Local Law #5 of 2022, a comprehensive table of bulk requirements can be found on the Site Plan Section 5a. A summary of the Project’s compliance with applicable General Bulk Regulations is found below for Zone Area R-30. As referenced in the Narrative Background, lots in the Rose Subdivision are subject to the bulk regulations and net lot area depicted on the plat at the time the subdivision was created.

Bulk Regulation	Existing	Proposed	Comment
1. Structural setbacks	Full compliance	Full compliance	Pool deck moves inward from rear lot line
2. Building height (35 feet)	31.0 feet	33.5 feet	Maximum height increased by 2.5 feet; average height significantly less than that
3. Development Coverage (25.0%)	32.4%, Impervious 32.4%, Total	24.2%, Impervious 36.2%, Total	<ul style="list-style-type: none"> <li>• Replace non-permeable driveway with a NYSDEC compliant permeable surface; ~3,000 square feet improved</li> <li>• Removal of one of the pool deck staircases</li> </ul>
4. Building Coverage (12.0%)	9.1%	13.8%, 11.1% excluding below pool deck	<ul style="list-style-type: none"> <li>• 81% of Building Coverage at ground level</li> <li>• 19% of Building Coverage partially subterranean</li> <li>• Subterranean coverage below existing pool deck, i.e. no incremental physical expansion</li> </ul>
5. FAR (0.20)	0.13	0.22, 0.18, at ground level	<ul style="list-style-type: none"> <li>• 18% of FAR in Basement, below existing pool infrastructure</li> </ul>
6. Steep Slope Disturbance	NA	Full Site Improvement Plan	<ul style="list-style-type: none"> <li>• 14% of net lot area subject to steep slopes</li> <li>• Plans to improve nearly all steep slopes</li> <li>• Dramatic improvement to ground stability and drainage</li> </ul>

Variations are required for Building Coverage, FAR, and Steep Slope Disturbance. The rationale for requesting variations is as follows:

- *Development Coverage:* The property is existing nonconforming. Total existing Development Coverage is 32.4%, all of which is Impervious Surface Coverage, vs. 25.0% allowable per zoning code. Improvements to the Lot will remove a lot of this impervious hardscape and reduce Impervious Surface Coverage to 24.2%. Most of this reduction will come from the driveway utilizing the latest permeable paver technology that would meet or exceed NYSDEC standards. Including all porous surfaces that meet NYSDEC standards, total proposed Development Coverage increases to 36.2%.
- *Building Coverage:* Applicant has gone to great lengths to contain expansion areas to already-improved locations. Notably, the newly improved area under the pool deck does not increase Development

Coverage while increasing Building Coverage. Fifty-seven percent of the increase in Building Coverage is contained below the pool deck. In fact, the size of this existing infrastructure is reduced to accommodate the design aesthetic. Building this area out as a single story, as opposed to other areas which could accommodate two stories or more, magnifies the adverse calculation of this bulk regulation. Proposed Building Coverage 13.8% vs 12.0% allowable per zoning code. It is notable that 2.7 points of this Building Coverage is below the pool deck, a structure that currently exists. Exclusive of this area the Building Coverage is only 11.1%.

- *FAR*: Aesthetics and structural development under the pool require utilization of more floor area than otherwise necessary building above ground. We believe seeking a variance would be preferable to all interested parties. Proposed FAR 0.22 vs 0.20 allowable per zoning code. It is notable that 0.4 of this FAR is below the pool deck. Exclusive of this area the FAR is only 0.18.
- *Steep Slope Disturbance*: Steep slopes do not comprise a large area (~5,200 square feet), nor are they a significant component of net lot area (less than 15% of total). However, in the interest of safety, aesthetics, and preservation of the environment, the Applicant intends to restore, plant and/or terrace sections of its property that are eroding or subject to significant drainage issues. Terraces, and their supporting retaining walls in compliance with code, are to be added in the rear of the property. In addition to the positive effects of these efforts, it is notable that the areas being disturbed (i) do not have any houses or roads in front of them and (ii) are directly in front of the Hudson River the land and water area for which is privately owned by the Applicant. Finally, it should be noted that the slopes existing at the property today are not the original slopes. In connection with the creation of the subdivision, Lot and residence in 2006, the original slopes were modified / disturbed. Further modification of these slopes has no impact to any natural or historical significance of the area.

Thank you in advance for your time and consideration. We look forward to the comments of this Board and those of the public.



## 2. Subdivision, Dwelling, and Landscape Photos

### 2a. Rose Subdivision from the Hudson River



## 2b. Existing Dwelling Aesthetics

*Western view, front*



OneKey MLS

*Southeastern view, rear*



*Northeastern view, rear*



*Eastern view, rear*



## 2c. Existing Unmaintained Landscape and Drainage Issues



***Erosion area on Hudson River***

***~1,300 sq. ft. – >40% slope***



***Drainage issue, southern side***

***~1,100 sq. ft. – 15 to 24% slope***

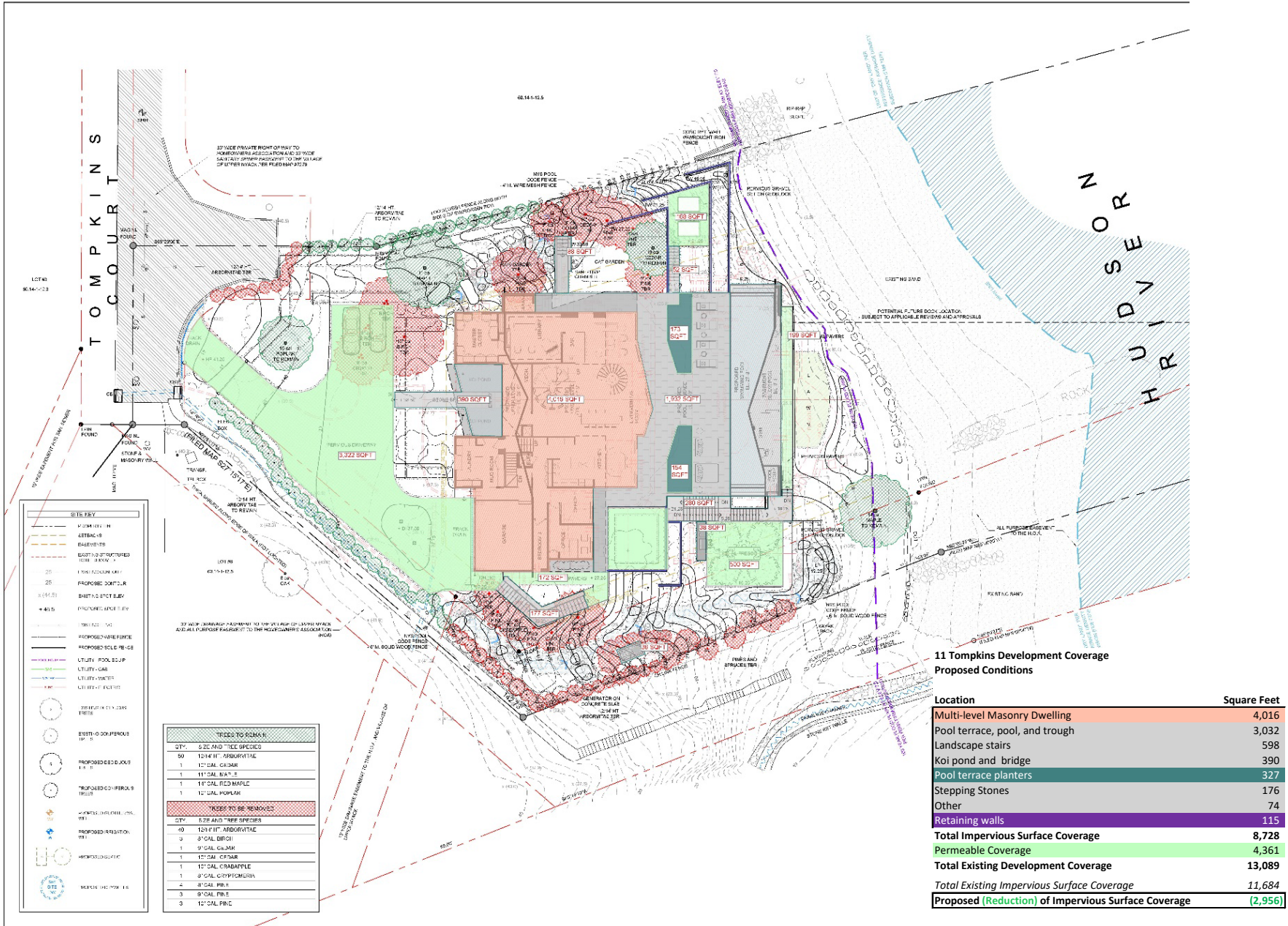


***Drainage issue, northern side***

***~800 sq. ft. – 15 to 40% slope***



### 3b. Proposed Coverage Map





## 4. Renderings

