

VILLAGE OF UPPER NYACK PLANNING BOARD

boardsecretary@uppernyack-ny.us | 845-358-0084

APPLICATION PACKET

USE THIS FORM FOR:

1. SITE PLAN APPLICATIONS (Upper Nyack Zoning Law §10)
2. SPECIAL USE PERMIT APPLICATIONS (Upper Nyack Zoning Law §9)
3. TREE REMOVAL PERMIT APPLICATIONS IF REFERRED BY CEO (Upper Nyack Tree Preservation Law §2.2.1.2)

APPLICATION PACKET CONTENTS

1. Submission Checklist.....	2
2. Land Use Board Contact Form	3
3. Planning Board Application Form.....	4
4. GML 809 Statement	7
5. GML 239 Referral Form	9
6. Site Plan Checklist	12
7. Model Zoning Compliance Table.....	13
8. Site Plan Uniform Notes and Landscape Plan Notes.....	14
9. Public Hearing Notice Requirements	17

SUBMITTAL REQUIREMENTS

SUBMIT **TWO (2)** COMPLETE SETS OF APPLICATION MATERIALS TO THE ZONING INSPECTOR FOR A COMPLETENESS DETERMINATION. FOLLOWING THE COMPLETENESS DETERMINATION, THE ZONING INSPECTOR WILL ADVISE ABOUT THE REQUIREMENTS FOR THE FULL SUBMISSION TO THE PLANNING BOARD

ALL PLANS MUST BE COLLATED, STAPLED & FOLDED WITH THE TITLE BLOCK SHOWING. PLANS THAT DO NOT MEET THESE REQUIREMENTS WILL BE REJECTED.

FOR THE PLANNING BOARD SUBMISSION FOLLOWING DETERMINATION OF COMPLETENESS BY THE ZONING INSPECTOR, SUBMIT A PDF OF THE APPLICATION FORM, PROJECT NARRATIVE, PROJECT PLANS AND ANY ADDITIONAL SUPPORTING INFORMATION. SEE SUBMISSION CHECKLIST IN THIS PACKET FOR MORE INFORMATION.

SUBMISSION CHECKLIST

PLANNING BOARD APPLICATIONS

Submit **Two (2)** complete sets of application materials to the Zoning Inspector for a completeness determination.

ALL PLANS MUST BE COLLATED, STAPLED & FOLDED WITH THE TITLE BLOCK SHOWING PLANS THAT ARE NOT COLLATED, STAPLED & FOLDED WILL BE REJECTED

INCLUDED	WAIVER REQUESTED	DESCRIPTION	# OF COPIES FOR PB SUBMISSION (ZONING INSPECTOR TO COMPLETE)
		A completed Submission Checklist (this form)	
		A completed Contact Form	
		Copy of deed to present owner of property. Agents/contract vendees must have written authorization from the owner.	
		General Municipal Law Section 809 Disclosure Form	
		Rockland County Department of Planning Referral Form for General Municipal Law Referrals, if applicable.	
		Application fee payable to Village of Upper Nyack. <i>See Village Fee Schedule</i> Notice sign deposit. <i>See Village Fee Schedule</i>	
		* A completed Application Form	
	Indicate here if the action is Type II	* For applications other than those pertaining to a 1, 2 or 3- family residence: (i) a Short Environmental Assessment Form, part 1 for SEQRA Unlisted Actions; (ii) a full Environmental Assessment Form, part 1 for SEQRA Type I Actions. EAFs available at NYS DEC website: https://www.dec.ny.gov/permits/6191.html	
		* A descriptive project narrative. For special use permit applications, the project narrative must address how the application complies with the general Special Use Permit Standards (Zoning Law §9.5) and any use specific standards (Zoning Law §9.6).	
		* Site plan meeting the requirements of Zoning Law §10.5. <i>See checklist in this packet; submit completed Site Plan Checklist with Submission.</i> For special use permit renewal applications where no site changes are proposed and the site improvements comply with the previously approved site plan, the applicant may submit a copy of the previously approved site plan bearing the Planning Board Chair's signature in lieu of new plans. If disturbance to Steep Slopes (<i>see</i> Zoning Law §2.1.118) is proposed <i>see</i> Zoning Law §6.7. A site plan meeting the requirements of Zoning Law §10.5 is not required for Tree Removal Permit applications. For Tree Removal Permit applications, a replanting plan shall be provided.	
		*An existing conditions plan or current survey showing all improvements on the Property prepared by a licensed land surveyor. Not required for special use permit renewal applications if no changes are proposed and the site complies with the previously approved Site Plan For Tree Removal Permit Applications- The existing conditions plan or survey should identify regulated trees to be removed and to remain.	
		A Stormwater Pollution Prevention Plan (SWPPP), where required- <i>See Village of Upper Nyack Stormwater Management Law, Upper Nyack Local Law #4 of 2022.</i>	

***A PDF COPY OF ALL APPLICATION MATERIALS MARKED WITH AN * ABOVE COMBINED AS ONE PDF MUST BE SUBMITTED BY ELECTRONIC MAIL TO boardsecretary@uppernyack-ny.us. WHERE APPLICABLE A PDF COPY OF THE SWPPP MUST BE PROVIDED AS A SEPARATE PDF. THE PDF FILE NAMES SHOULD REFERENCE THE ANTICIPATED MEETING DATE, PROPERTY ADDRESS AND BOARD (i.e. 20220420-123 N. BroadwayPB.pdf).**

**VILLAGE OF UPPER NYACK
LAND USE BOARD CONTACT FORM**

Project Name: _____

Project Street Address: _____

Section: _____ Block: _____ Lot(s): _____ Zoning District: _____

Applicant: _____

Address: _____

Phone #: _____ Email: _____

Owner: _____

Address: _____

Phone #: _____ Email: _____

Design Professional: _____

Address: _____

Phone #: _____ Email: _____

Design Professional: _____

Address: _____

Phone #: _____ Email: _____

Design Professional: _____

Address: _____

Phone #: _____ Email: _____

Attorney: _____

Address: _____

Phone #: _____ Email: _____

Other Representative (specify) _____

Address: _____

Phone #: _____ Email: _____

**VILLAGE OF UPPER NYACK
PLANNING BOARD APPLICATION FORM**

Project Name: _____

Applicant Name: _____

Project Street Address: _____

Section: _____ Block: _____ Lot(s): _____ Zoning District: _____

Application is for (check all that apply):

_____ Site Plan Approval

_____ ARB referral required (Required when new buildings are proposed or existing buildings will be altered)

_____ Special Use Permit Approval (Specify Use: _____)

____ New Special Use Permit

____ Modification to Existing Special Use Permit

(Specify use and date granted: _____; Narrative must describe change)

____ Renewal of Special Use Permit

(Specify use and date granted: _____; Narrative must confirm compliance with requirements and conditions)

_____ Tree Removal Permit

Description of Proposed Project:

Are approvals from the Village of Upper Nyack Architectural Review Board or Zoning Board of Appeals required as a part of this project? _____ Yes _____ No

If yes, describe:

Have any Planning Board, Architectural Review Board or Zoning Board of Appeals Approvals been granted or denied for the Property in the past 10 years? _____ Yes _____ No

If yes, list all prior approvals and denials?

OWNER-APPLICANT'S CERTIFICATION

I, _____, hereby certify that I am the
(* _____) owner in the fee simple of premises located
at: _____

_____ described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Instrument No. _____.

Said premises have been in my/its possession since _____.

Said premises are also known and designated on the Village of Upper Nyack Tax Map as:

Section: _____ Block: _____ Lot(s): _____.

I hereby certify that the statements of facts contained in this application, including, but not limited to the contact form, application form, EAF, project narrative and all plans and other supporting documents are true to the best of my knowledge and belief.

I hereby give permission to members of the Planning Board, Zoning Board of Appeals, Architectural Review Board and/or supporting staff and consultants to enter upon the property that is the subject of this application at a reasonable time during the day upon reasonable notice.

Owner Signature: _____

Owner Name: _____

Mailing Address: _____

Sworn to before me this ____ day of _____ 20__.

_____ Notary Public

NON-OWNER APPLICANT SIGNATURE PAGE

NON-OWNER APPLICANT'S CERTIFICATION

I, _____, hereby certify that I am the applicant herein and that I make this application with the knowledge, authorization and consent of the owner of the premises. I hereby certify that the statements of facts contained in this application, including, but not limited to the contact form, application form, EAF, project narrative and all plans and other supporting documents are true to the best of my knowledge and belief.

Applicant Signature: _____

Applicant Name: _____

Mailing Address: _____

Sworn to before me this ____ day of _____ 20__.

Notary Public

CERTIFICATION OF OWNERSHIP/OWNER'S CONSENT

I, _____, hereby certify that I am the

(* _____) owner in the fee simple of premises located

at: _____

_____ described in a certain deed of said premises recorded in the Rockland County Clerk's Office in Instrument No. _____.

Said premises have been in my/its possession since _____.

Said premises are also known and designated on the Town of Clarkstown Tax Map as: section:

_____ block: _____ lot(s): _____.

I hereby authorize _____ to make this application and I understand that any decision on this application is binding on the Property.

I hereby give permission to members of the Planning Board, Zoning Board of Appeals, Architectural Review Board and/or supporting staff and consultants to enter upon the property that is the subject of this application at a reasonable time during the day upon reasonable notice.

Owner Signature: _____

Owner Name: _____

Mailing Address: _____

Sworn to before me this ____ day of _____ 20__.

Notary Public

VILLAGE OF UPPER NYACK

GENERAL MUNICIPAL LAW 809 STATEMENT

APPLICATION NAME: _____

APPEARING BEFORE (CIRCLE ALL THAT APPLY):

PLANNING BOARD		ARCHITECTURAL REVIEW BOARD
ZONING BOARD OF APPEALS		BOARD OF TRUSTEES

STATE OF NEW YORK) ss:

COUNTY OF _____)

_____, being duly sworn, deposes and says:
(deponent name)

1. Your deponent is over 18 years of age and (resides at) or (maintains an office at) [circle one]:

_____.

2. Deponent is the (a) applicant, (b) one of the applicants, (c) officer of applicant
_____ (state office held), (d) partner or principal in applicant. [circle
applicable status].

3. To deponent's knowledge, the following state, county, Town of Clarkstown or Village of Upper Nyack
officers or employees have an interest in the applicant as defined in General Municipal Law § 809 (for each
person identified state his or her name, residence address and the nature and extent of his or her interest in the
applicant; if none, so state):

_____(Signed)

Sworn to before me this ____ day of _____ 20__.

Notary Public

NEW YORK GENERAL MUNICIPAL LAW

§ 809. DISCLOSURE IN CERTAIN APPLICATIONS

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. . For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - (a) is the applicant, or
 - (b) is an officer, director, partner or employee of the applicant, or
 - (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. [SECTION OMITTED (applies only in Nassau County)]
4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

APPLICATION REVIEW FORM

PART I

Name of Municipality _____ Date _____

Please check all that apply:

<input type="checkbox"/> Planning Board	<input type="checkbox"/> Municipal Board
<input type="checkbox"/> Zoning Board of Appeals*	<input type="checkbox"/> Historical Board
(*Fill out Parts I & II of this form)	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision _____ # of Lots _____	<input type="checkbox"/> Pre-preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Final
<input type="checkbox"/> Conditional Use	
<input type="checkbox"/> Zoning Code Amendment	
<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Variance	

Project Name: _____

Tax Map Designation:

Section _____ Block _____ Lot(s) _____

Section _____ Block _____ Lot(s) _____

Location: On the _____ side of _____,
 _____ feet _____ of _____ in the
 town/village of _____.

Street Address: _____

Acreage of Parcel _____ Zoning District _____

School District _____ Postal District _____

Fire District _____ Ambulance District _____

Water District _____ Sewer District _____

Project Description: *(If additional space required, please attach a narrative summary.)*

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

If **special permit**, list special permit use and what the property will be used for.

Environmental Constraints:

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area. _____

Are there **streams** on the site? If yes, please provide the names. _____

Are there **wetlands** on the site? If yes, please provide the names and type. _____

Project History: Has this project ever been reviewed before? _____

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

APPLICATION REVIEW FORM

Contact Information:

Applicant: _____ Phone # _____

Address _____

Street Name & Number (Post Office) State Zip code

Property Owner: _____ Phone # _____

Address _____

Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: _____ Phone # _____

Address _____

Street Name & Number (Post Office) State Zip code

Attorney: _____ Phone # _____

Address _____

Street Name & Number (Post Office) State Zip code

Contact Person: _____ Phone # _____

Address _____

Street Name & Number (Post Office) State Zip code

General Municipal Law Review: TO BE COMPLETED BY VILLAGE

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF
PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

_____ State or County Road

_____ State or County Park

_____ Long Path

_____ County Stream

_____ Municipal Boundary

_____ County Facility

List name(s) of facility checked above. _____

Referral Agencies: *(Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)*

_____ RC Highway Department

_____ RC Division of Environmental Resources

_____ RC Drainage Agency

_____ RC Dept. of Health

_____ NYS Dept. of Transportation

_____ NYS Dept. of Environmental Conservation

_____ NYS Thruway Authority

_____ Palisades Interstate Park Comm.

_____ Adjacent Municipality _____

_____ Other _____

****All applicants must send copies of their applications and plans to:**

Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.

SITE PLAN CHECKLIST

(check as applicable)			Check as Applicable
Included	Not Included	Waiver Requested*	Minimum Site Plan Element (Zoning Law §10.5)
			A set of multiple sheets of plans shall include a title page depicting an area map at a scale not exceeding 1" = 1000', the title of the application, identification of the design professional(s) preparing plans that make up the plan set, and a list of the names, preparer, original date and last revision date of all plans in the plan set.
			The stamp and signature of the professional engineer, registered architect, licensed land surveyor or other qualified professional responsible for the preparation of the Site Plan.
			Title of the project.
			The property address, tax identification number, applicant name and owner name.
			North arrow, scale, which shall be no smaller than 1"=20', and date.
			Location map at a scale not exceeding 1" = 1000'
			Dimensions with metes and bounds of the Lot.
			Landscaping meeting the requirements of Zoning Law §10.6.14.
			Existing and proposed Building Height (including height calculations), the elevation of each floor and the Grade Plane elevation.
			Ingress and egress, required and proposed, including, but not limited to the location, grade and width of the proposed Streets and driveways.
			Location, dimension, & number of Parking Areas, Loading Spaces, fire lanes & traffic aisles
			Dimensions, locations and setbacks from all Lot Lines of all Buildings and Structures, existing and proposed.
			Location of all outdoor storage of goods or materials.
			Total Floor Area and square footage of each floor of all existing and proposed Buildings.
			Where Buildings are proposed to be divided into units of separate occupancy, detailed breakdowns of all proposed floor space by type of Use and floor level.
			Zoning designation of the parcel and the zoning designation of all adjacent parcels.
			A zoning compliance table [SEE MODEL TABLE IN THIS PACKET]
			Names of all abutting streets and names of all abutting landowners.
			Location of existing & proposed utilities (method of water supply, sewage disposal, electric, gas and telecommunications, etc.), drainage, lighting, and erosion control. The applicant shall demonstrate that adequate utility services, including, but not limited to adequate capacity for water and sanitary sewer services are available to serve the project.
			Location and dimension of existing and proposed Retaining Walls, Fences, location and sizes of Signs. Top and bottom of wall elevations must be noted at relevant points along the wall.
			Existing grade and proposed grading. Existing and proposed contours of the Lot at two-foot intervals. Datum for elevation.
			Where a new driveway is proposed, sight distance analysis from such driveway which is compliant with American Association of State Highway and Transportation Association (AASHTO) Standards or other similar equivalent industry standard.
			Elevations of all sides of any proposed Building, Structure or Retaining Wall that is over 3 ft in height.
			Proposed location of all open spaces, including parks, playgrounds and open recreation areas, if applicable.
			Proposed drainage facilities (unsized).
			If a Tree Removal Permit is being sought, a Tree Replacement Plan as required by the Village's Tree Preservation Law.
			The size and species of all Significant Trees (as defined in the above-referenced Tree Preservation Law) within the area of disturbance, regardless of removal status
			Site Plan Notes: See Uniform Notes List

*Explain reason for waiver request in project narrative.

MODEL ZONING COMPLIANCE TABLE

[DO NOT COMPLETE AND SUBMIT THIS PAGE- INSERT A ZONING COMPLIANCE TABLE ON THE SITE PLAN IN A FORM SUBSTANTIALLY SIMILAR TO THE BELOW]

	ZONING COMPLIANCE TABLE				
ZONE:	USE:				
ITEM	REQUIRED /PERMITTED	EXISTING	PROPOSED	NET CHANGE	NOTES
NET LOT AREA					
LOT WIDTH					
LOT FRONTAGE					
FRONT YARD(S)					
SIDE YARD(S)					
TOTAL SIDE YARDS	<div style="text-align: center;"> SAMPLE- DO NOT COMPLETE ADD ZONING COMPLIANCE TABLE TO PLAN </div>				
REAR YARD					
BUILDING HT- PRINCIPAL					
BUILDING HT- ACCESSORY					
BUILDING COVERAGE					
DEVELOPMENT COVERAGE					
FAR					

NET LOT AREA CALCULATION [see Zoning Law §2.1.62]				
ITEM	SECTION	AREA	REDUCTIONS	
			%	SF
WETLANDS, ETC	2.1.62.1.1			
HUDSON RIVER	2.1.62.1.2	<div style="text-align: center;"> SAMPLE- DO NOT COMPLETE ADD TO PLAN </div>		
SLOPES 40% & OVER	2.1.62.2.1			
SLOPES 26-39%	2.1.62.2.2			
OUTCROPS	2.1.62.2.3			
NET LOT AREA (SF)				

[Provide Building Coverage Calculation- see Zoning Law §2.1.22]

[Provide Development Coverage Calculation- see Zoning Law §2.1.23]

[Provide FAR Calculation- see Zoning Law §2.1.45]

[Provide Parking Calculation- see Zoning Law §4.4.3 (Parking Table)]

Elevations **MUST** include the Finished Grade, Grade Plane Elevation, and the Building Height calculation.

SITE PLAN UNIFORM NOTES

1. PROPERTY REFERENCE: TAX MAP SECTION XX.XX, BLOCK XX, LOT XX AS SHOWN ON THE TAX MAP OF THE VILLAGE OF UPPER NYACK.
2.

<u>OWNER</u> NAME ADDRESS CITY, STATE ZIP	<u>APPLICANT</u> NAME IF DIFFERENT ADDRESS CITY, STATE ZIP
--	---
3. SURVEY METES AND BOUNDS (AND ANY OTHER INFORMATION TAKEN FROM SURVEY) TAKEN FROM SURVEY BY (INSERT SURVEYOR NAME) DATED (INSERT SURVEY DATE).
4. DATUM ELEVATION (STATE, I.E. NAVD-1988 ETC).
5. DISTRICTS
 ZONING:
 SCHOOL:
 FIRE:
 WATER:
 LIGHTING:
 SEWER:
6. THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239 (SPECIFY -L, -M, -N AS APPLICABLE) OF THE NEW YORK GENERAL MUNICIPAL LAW.
7. ALL NEW UTILITY SERVICES SHALL BE INSTALLED UNDERGROUND.
8. IRON PINS, 3/4" IN DIAMETER AND MINIMUM 30" LONG, SHALL BE INSTALLED AT ALL LOT CORNERS AFTER FINAL GRADING.
9. PLAN IS SUBJECT TO ALL STATE, COUNTY AND LOCAL CONSTRUCTION AND UTILITY STANDARDS AS APPLICABLE.
10. THE (DEVELOPER, BUILDER, APPLICANT) SHALL COMPLY WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND THE "NEW YORK STATE STANDARDS FOR URBAN EROSION AND SEDIMENT CONTROL".
11. SUBJECT TO STORMWATER MAINTENANCE AGREEMENT FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON (INSERT DATE) AS INSTRUMENT NUMBER XX-XXXXXX.
 [IF APPLICABLE]
12. RETAINING WALLS SHALL BE DESIGNED BY AN ENGINEER LICENSED IN THE STATE OF NY AND DESIGN SHALL BE SUBMITTED FOR REVIEW WITH THE APPLICATION FOR BUILDING PERMIT. CERTIFICATION OF CONSTRUCTION IN ACCORDANCE WITH THE DESIGN, BY A NYS LICENSED PROFESSIONAL ENGINEER, SHALL BE SUBMITTED PRIOR TO APPLICATION FOR CERTIFICATE OF OCCUPANCY.
13. SITE PLAN APPROVAL FOR THIS APPLICATION WAS GRANTED BY RESOLUTION OF THE VILLAGE OF UPPER NYACK PLANNING BOARD DATED _____. ONCE THIS SITE PLAN IS SIGNED BY THE PLANNING BOARD CHAIR, IT SHALL EXPIRE IF:

- A. A BUILDING PERMIT HAS NOT BEEN ISSUED FOR CONSTRUCTION IN ACCORDANCE WITH AN APPROVED SITE PLAN WITHIN 18 MONTHS OF THE DATE THAT THE SITE PLAN WAS SIGNED BY THE PLANNING BOARD CHAIR OR IF ALL IMPROVEMENTS PERMITTED OR REQUIRED BY THE SITE PLAN APPROVAL ARE NOT COMPLETED AND A CERTIFICATE OF OCCUPANCY AND/OR CERTIFICATE OF COMPLIANCE HAS NOT BEEN ISSUED WITHIN 2 YEARS OF THE DATE THAT THE BUILDING PERMIT IS ISSUED, UNLESS EXTENDED PURSUANT TO VILLAGE OF UPPER NYACK ZONING LAW (LOCAL LAW #5 OF 2022 AS AMENDED), §10.4.1.2.
 - B. [FOR ALL PRINCIPAL PERMITTED COMMERCIAL, INDUSTRIAL OR MARINE USES]: THE USE FOR WHICH SITE PLAN APPROVAL WAS GRANTED HAS SUBSTANTIALLY CEASED FOR A PERIOD OF 12 CONSECUTIVE MONTHS. VILLAGE OF UPPER NYACK ZONING LAW (LOCAL LAW #5 OF 2022 AS AMENDED), §10.4.1.3
 - C. [FOR USES PERMITTED PURSUANT TO SPECIAL USE PERMIT APPROVAL]: THE SITE PLAN APPROVAL FOR SUCH USE SHALL EXPIRE UPON THE EXPIRATION OF THE SPECIAL USE PERMIT PURSUANT TO SECTION 9.4 OF THE VILLAGE OF UPPER NYACK ZONING LAW, LOCAL LAW 5 OF 2022. VILLAGE OF UPPER NYACK ZONING LAW (LOCAL LAW #5 OF 2022 AS AMENDED), §10.4.1.3
14. THIS SITE PLAN IS SUBJECT TO COMPLIANCE WITH ALL LAWS, REGULATIONS, ORDINANCES AND SPECIFICATIONS OF THE VILLAGE OF UPPER NYACK.
 15. [IF APPLICABLE] THIS PROPERTY HAS BEEN THE SUBJECT OF REVIEW BY THE VILLAGE OF UPPER NYACK ZONING BOARD OF APPEALS [REFERENCE CONTINUING APPROVALS] AND/OR PLANNING BOARD [REFERENCE CONTINUING APPROVALS]. THIS APPROVAL PERMITS THE CONSTRUCTION OF [DESCRIBE PERMITTED IMPROVEMENTS AND CHANGES TO PRIOR PLANS] BUT DOES NOT OTHERWISE AFFECT OR ALTER SUCH PRIOR APPROVALS OR ANY CONDITIONS THERETO.
 16. NO OUTDOOR LIGHTING SHALL PRODUCE ILLUMINATION BEYOND THE BOUNDARIES OF THE LOT ON WHICH IT IS LOCATED, AND LIGHT SOURCES SHALL BE SHIELDED FROM ADJACENT PROPERTIES.
 17. ANY CHANGES OR MODIFICATIONS TO THIS SITE PLAN REQUIRE AMENDED SITE PLAN APPROVAL FROM THE VILLAGE OF UPPER NYACK PLANNING BOARD.
 18. THE CONTINUED VALIDITY OF ANY CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE FOR THE IMPROVEMENTS DEPICTED ON THIS PLAN SHALL BE SUBJECT TO CONTINUED CONFORMANCE WITH THIS SITE PLAN AND THE CONDITIONS HERETO.
 19. [SPECIFY WHETHER EXCAVATED MATERIAL WILL REMAIN ON SITE OR BE REMOVED]
 20. THE PLANS AND SPECIFICATIONS DEPICTED ON THESE DRAWINGS ARE IN COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE NEW YORK STATE ENERGY CONSERVATION CONSTRUCTION CODE, AS CURRENTLY IN EFFECT.
 21. [IF REQUIRED] PERCOLATION TEST SHALL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION, WITH RESULTS TO BE PROVIDED TO VILLAGE ENGINEER TO VERIFY DRYWELL DESIGN. DESIGN SHALL BE REVISED AS REQUIRED BASED ON PERCOLATION RATE OF SITE SOILS.

LANDSCAPE PLAN UNIFORM NOTES

1. All trees planted as shown on a landscape plan approved by the Planning Board which fail to survive 2 growing seasons shall be replaced by the Lot owner. Said replacement shall be within the longer of 60 days following written notice from the Zoning Inspector or Village Engineer advising that such replacement is required or the period of time as may be specified in such notice.
2. The planting of any species listed on the NYS DEC's Prohibited and Regulated Invasive Plant list shall be prohibited.
3. All plants shall be nursery grown plants and workmanship shall conform to the American Association of Nurserymen Standards and shall be subject to the approval of the Landscape Architect before and after planting.
4. All planting shall be placed under the direction of the Landscape Architect. Give 48 hours' notice before planting.
5. Place 4" of topsoil on all lawn areas and all areas not paved or built upon.
6. Plant pits shall be 36" wide for trees (minimum of two times root ball diameter) and 24" wide for shrubs and as deep as the root ball. Set plants at same level as originally grown on base of undisturbed soil. The trunk flare and root collar shall be visible at the top of the plant bed at the time of final inspection. Remove all existing soil from plant pit and backfill with a mixture of one part peat humus; one part dehydrated cow manure; and four parts topsoil. Fertilize all plants with 2 to 3 oz. per foot of shrub height and 2 to 3 lbs. per inch of tree trunk of 5-10-5 fertilizer. For evergreen planting, add 1 lb. Per 100 square feet of plant bed each of ammonium sulfate and superphosphate. Loosen soil around edges of plant pit.
7. Fertilize areas before seeding or sodding with 15 lbs. per 1000 square feet of 10-20-10 fertilizer or approved equivalent. Repeat after 8 weeks.
8. Mulch all plants and planted areas with a 4" depth of shredded pine, oak bark or other shredded bark, treated for fire repellency. Do not place mulch against tree or shrub trunk. The trunk flare and root collar shall be visible at the top of the plant bed with no mulch against trunk. Do not create mound of mulch around tree. Finish grade to be same as originally grown.
9. Lawn areas shall be seeded at 5 lbs. per 1000 square feet with the following seed mixture: 20% Jamestown II Chewings Fescue, 60% Baron Kentucky Bluegrass, and 20% Palmer II Perennial Rye, or approved equivalent. Mulch newly seeded lawn at 90 lbs. per 1000 square feet with hay or straw mulch.
10. The contractor is responsible to plant the total quantities of all plants shown on the planting plan. The quantities of planting shown graphically on the plan shall govern.
11. Existing trees shown on this plan are to remain undisturbed. All existing trees shown to remain are to be protected with a 6-foot-high wooden fence with posts placed at the drip line of the branches or at 80 percent of the critical route radius.
12. Seed mix for seeding in and along the interior slopes of the water quality basin shall be ERNMX-127 retention basin floor seeding for wildlife and plant diversity mix or equivalent, planted at 20 lbs. per acre.

PUBLIC HEARING AND LEGAL NOTICE (ZONING LAW §11.5)

The Planning Board, ARB and ZBA are required to hold a public hearing on most of the applications they receive. The Village will cause notice of the hearing to be published in The Journal News at least 5 days before the date of the hearing.

The Applicant is required to provide notice of the public hearing as follows:

NEIGHBOR MAILING: The Applicant must mail the hearing notice to all owners of property located within 200 feet of the property that is the subject of the application (including properties within 200 feet of the subject property and located outside of the Village, if applicable). The Secretary to the Land Use Boards will provide the notice and the list of adjoining property owners to the Applicant. The notice must be sent by U.S. First Class Mail with a Certificate of Mailing **at least 5 days before the public hearing**. At least 2 business days before the public hearing, the Applicant must file proof of mailing of such notice with the the Secretary to the Land Use Boards, which shall consist of: (i) a completed United States Postal Service Certificate of Mailing; (ii) an affidavit of mailing stating the date the notice was mailed and the names and addresses of the persons served with the notice; and (iii) all envelopes that were returned to the Applicant as undeliverable prior to the hearing. **Unless otherwise directed, the notice mailing need only be completed prior to the first session of the public hearing before the board; no additional notice mailing is required if the hearing is adjourned to a subsequent meeting.**

NOTICE SIGNS: The Applicant must post two notice signs provided by the Secretary to the Land Use Boards on the lot which is the subject of the application **at least 5 days before the public hearing** and must maintain the posted sign(s) in place until the applicable Board has rendered its final decision on the application. The sign(s) must be posted not more than 10 feet from each boundary of the lot that abuts a public street and must be visible to the public. The bottom edge of each sign so erected must be approximately 14 inches (but not more than 36 inches) above the ground. If the subject property abuts more than one road, additional signs shall be posted facing each public street on which the property abuts. If the property does not abut a public street, the Zoning Inspector will advise as to where the notice signs should be posted.