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Counsel to  
Freeman & Loftus, RLLP

May 13, 2015

Hon. Jennifer White, Mayor  
Nyack Village  
9 North Broadway  
Nyack, NY 10960

Re: Petition of TZ Vista, LLC - Amendments to WF District Requirements

Dear Mayor White:

I represent the petitioner, TZ Vista, LLC, in the above-referenced matter. During staff review of the petition, we were asked to provide information as to the consistency of the proposed amendments with the Village of Nyack Comprehensive Plan. Please share this letter with the Village Board. I have sent copies directly to Messrs. Sevastian, Galvin and Yacopino.

The Village's Comprehensive Plan was last revised in 2006. In the 2006 Plan, there was a section devoted to issues along the Village's waterfront (pp 43-54). The Plan divided the waterfront area into three sections: Southern, Central, and Northern. The WF District affects properties in the Central section of the waterfront.<sup>1</sup>

The Central section "stretches south from Hook Mountain Yacht Club to just north of Depew Avenue. \* \* \* Gedney Street forms the western boundary of most of this section of the waterfront."<sup>2</sup> The Central section is characterized by "major multifamily residential developments" including the Clermont, Rivercrest and West Shore Towers.<sup>3</sup> Three "key"

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<sup>1</sup>The Southern section "is comprised almost entirely of Memorial Park" and is zoned SFR-1. (Comprehensive Plan, p. 44.) The Northern section begins just north of Ackerman Lane at the Hook Mountain Boat Club and extends to the Upper Nyack border. This section is also zoned SFR-1, although a small portion may be included in the WF district. (Comprehensive Plan, p. 46.)

<sup>2</sup>Comprehensive Plan, p. 45.

<sup>3</sup>*Id.*

undeveloped or under-developed parcels are identified: the Nyack Boat Club, Presidential Life site, and Clermont Phase III.<sup>4</sup> The TZ Vista proposal applies to the latter two sites.

One additional parcel is located in the Central section: the Village's boat launch and River Club restaurant and parking lot. This parcel is owned by the Village.

The Comprehensive Plan makes a number of recommendations for the waterfront, and for the Central waterfront in particular:<sup>5</sup>

*Preserve and enhance views of the Hudson River from throughout the Village.*

The proposed amendment encourages the creation of wider view corridors and also encourages the creation of public access to the riverfront. It also encourages placing parking underground, so that the waterfront view does not include parking lots. The combination provides wider and less encumbered views of the River from both the waterfront and nearby inland areas.

*In the central waterfront from Second Avenue to Memorial Park, support cultural and commercial amenities that bring people to the waterfront.*

The proposed amendment encourages enhanced public access to the waterfront, providing public art, or making a monetary contribution toward waterfront improvements. These public access areas could host kiosks or "pop-up" stores and amenities, if the Village so permits.

*Over time, spread out recreational uses to other potential waterfront park sites [other than Memorial Park].*

The proposed amendment encourages public access to the waterfront and waterfront improvements. These public access spaces can provide passive recreation or cultural opportunities (e.g., lawn concerts or other performances).

*Create a "Riverwalk" along the entire length of the waterfront in the Village.*

- *In the area from First Avenue to the south end of Memorial Park, locate the Riverwalk at the water's edge.*

The proposed amendment encourages public access to the waterfront, including walking paths.

*Promote additional small "viewing point" parks at the foot of Fourth Avenue, Second Avenue, First Avenue, and the northern tip of Gedney Street.*

The proposed amendment encourages public access to the waterfront, which can include "viewing points" at the locations noted.

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<sup>4</sup>Comprehensive Plan, pp. 45-46.

<sup>5</sup>Comprehensive Plan, pp. 47-54. We have omitted references to those sections of the waterfront unaffected by the WF District, such as Memorial Park, as they are not relevant here.

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Thus, the proposed amendments to the WF District are not only consistent with the 2006 Comprehensive Plan's recommendations, but also implement those recommendations.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Ira M. Emanuel', with a long horizontal flourish extending to the right.

Ira M. Emanuel

IME:i

cc: Walter Sevastian, Esq.  
Robert Galvin  
Don Yacopino  
Client