



**ZARIN &  
STEINMETZ**

David S. Steinmetz •  
david@zarin-steinmetz.com

• Also admitted in DC

November 9, 2021

**Via Electronic Mail Only**

Hon. Bruce Tucker and Members of the  
Village of Piermont Board of Trustees  
478 Piermont Avenue  
Piermont, New York 10968

**Re: Zoning Petition – 447-477 Piermont Avenue, Piermont, NY**

Dear Mayor Tucker and Members of the Village of Piermont Board of Trustees:

Our Firm represents Piermont Developers, LLC, owner of 447-477 Piermont Avenue (“Applicant”). We are pleased to make this submission to your Board, which includes a Zoning Petition, along with proposed zoning text and map changes and a Conceptual Site Plan for the Applicant’s project that contemplates a single 18-unit multifamily residential rental development at Tax Assessment Map of the Village of Piermont Section 75.55, Block 1, Lots 14.1, and 14.2, and Lot 13, and a portion of neighboring undesignated parcels (“Proposed Project”).

The Proposed Project offers an exciting new use in the Village, that would create an alternative type of housing stock not currently available in the Village, but that is in high demand. Not only would the Proposed Project revitalize this underutilized, visible parcel in the Village, it also meets the stated goals of the Village to create a more resilient waterfront, by fostering a use that is marketable, which will help to build a more resilient future for the Village. (See [https://www.piermont-ny.gov/government/waterfront\\_resiliency\\_commission.php](https://www.piermont-ny.gov/government/waterfront_resiliency_commission.php)).

To facilitate the ultimate development of the Proposed Project, the Applicant must obtain certain amendments to the Village’s Zoning Code and Map. Enclosed is a draft Zoning Petition, including the proposed amendments to the Code and Map. Specifically, the proposed amendments seek to revise the bulk requirements for the Village’s R-M Zoning District and apply the R-M Zoning designation to the subject property. Because the R-M District only allows

multifamily residences like the one being proposed as a special permit use, the Applicant believes that this will give the Village adequate control over development of projects like the one proposed, to ensure that the development of such use is appropriate in size and scale.

We request placement on your Board's December, 2021 agenda to discuss your initial comments on the Zoning Petition and begin the review process. Please do not hesitate to contact our office should you have any questions or comments in advance of the meeting.

Respectfully Submitted,

ZARIN & STEINMETZ

By:

David S. Steinmetz

Lee J. Lefkowitz

Encls.

cc Craig Weis, Piermont Developers, LLC  
Lino Sciarretta, Esq., Village Attorney

VILLAGE BOARD OF TRUSTEES: VILLAGE OF PIERMONT  
COUNTY OF ROCKLAND: STATE OF NEW YORK

---

In the Matter of the Application of

PIERMONT DEVELOPERS LLC,

To Amend the Village of Piermont Code to Re-Map the Premises Located at 447-477 Piermont Avenue, New York, including the area designated on the Tax Assessment Map of the Village of Piermont Section 75.55, Block 1, Lots 13, 14.1, and 14.2 from the BB/Business District to the R-M (Multifamily Residence) District.

---

X

:

:

:

:

:

:

:

:

:

:

X

**PETITION  
FOR ZONING  
MAP  
AMENDMENT  
AND TEXT  
AMENDMENT**

Petitioner PIERMONT DEVELOPERS, LLC ("Petitioner"), by its attorneys, Zarin & Steinmetz, respectfully petitions the Board of Trustees ("Village Board") of the Village of Piermont ("Village") as follows:

**INTRODUCTION**

1. This is a Petition pursuant to Sections 1-7 and 210-108 of the Code of the Village of Piermont ("Code") to amend the Code to re-map the Premises located at 447-477 Piermont Avenue, New York, which is the area designated on the Tax Assessment Map of the Village of Piermont Section 75.55, Block 1, Lots 14.1, and 14.2, along with Lot 13 and a portion of neighboring undesignated parcels depicted on the attached Site Plan, Exhibit A. This Petition seeks to rezone this area from the B/Business District and RD-West District to the R-M (Multifamily Residence) District and to amend the bulk requirements for the R-M District in accordance with Exhibits B and C.

2. Petitioner is the owner of real property located at 447-477 Piermont Avenue, Piermont, New York. The remainder of the area sought to be rezoned in this Petition contains portions of parcels owned by Thomas Woods and Philip Griffin, which are depicted in Exhibit C. Both these owners have consented to their properties being included in this rezoning

petition. Their consents are attached as Exhibit "D" (collectively referred to as the "Property"). The Property is located in the B and RD-West Zoning District.

3. Petitioner seeks to construct a single 18-unit multifamily residential rental development on the Property, with associated parking and amenities for residents (the "Proposed Project"), in accordance with the Conceptual Site Plan, dated August, 2021, prepared by Collazuol Engineering and Surveying Associates, LLC, the Petitioner's engineer (Exhibit A), and 3D architectural renderings prepared by Stephanie Pantale, Architect, annexed hereto as Exhibit "E".

4. The Property is presently zoned with its northern and western boundaries in the B-district and its Southern and Eastern Boundaries in the RD-West district. The applicable Zoning is depicted on the maps and surveys hereto as Exhibit "C".

5. Piermont Developers LLC is seeking a Zoning Map change (the "Proposed Amendment") for the Property to the R-M District to facilitate its Proposed Project, as discussed below, and to rehabilitate the Property, creating a new, attractive type of housing stock in the Village, that is both affordable and marketable.

#### **The Petitioner and the Property**

6. The Petitioner is a New Jersey limited liability company and is the owner of 447-477 Piermont Avenue, New York, designated on the Tax Assessment Map of the Village of Piermont Section 75.55, Block 1, Lots 14.1 and 14.2, which is currently vacant.

7. The Property is surrounded by properties located in either the RD-West, B-Business, or R-7.5 Zoning Districts, all of which permit residential uses that would make the requested Zoning Map change consistent with the surrounding neighborhood.

8. Specifically, in the RD-West Zoning District, one- and two-family detached dwellings are permitted by Special Permit.

9. In the R-7.5 District, one-family detached dwellings are permitted as of right.

10. In the B-Business District, one-family detached dwellings are permitted as of right.

11. Petitioner respectfully submits that the Property is an ideal location in the Village for the residential Proposed Project, and that it would fit with the character of the surrounding neighborhood and help to revitalize and stimulate the waterfront area.

12. Additionally, it would provide a housing stock that is different from that which is currently offered in the Village, and which is in high demand.

### **The Proposed Project**

13. Petitioner's Proposed Project seeks to develop an 18-unit residential rental development at the Property, comprising six studio apartments, four one-bedroom apartments, and eight two-bedroom apartments. See Exhibits "A" and "E".

14. The Project would also feature on-site at-grade parking, providing 18 garage spaces (one per unit), and nine additional surface parking spaces for use by guests.

15. As set forth in the Conceptual Site Plan, the Proposed Project itself would have the following dimensions:

Lot area: 18,105.53 square feet, 1005.86 square feet per dwelling unit

Lot width: 41.56 feet/acre

Front yard setback: -3.5<sup>1</sup>

Side yard setback: 9.1 feet

Total width of both side yards: 17.1 feet

Rear yard setback: 97.7 feet

---

<sup>1</sup> Actual property line and Village right of way to be determined.

Building height: 3 stories/34.67 feet

Floor Area Ratio: 0.9607%

16. The Village's current requirements for multifamily dwellings in the R-M Zoning District are as follows.

Lot area: 1 Acre/3000 square feet per dwelling unit

Lot width: 100 feet/acre

Front yard setback: 40 feet

Side yard setback: 30 feet

Total width of both side yards: 70 feet

Rear yard setback: 50 feet

Building height: 3 stories/35 feet

Floor Area Ratio: 0.3

17. This Petition seeks to amend those bulk requirements in the R-M Zoning District to the following:

Lot area: 18,000 sqft/1000 square feet per dwelling unit

Lot width: 40 feet/acre

Front yard setback: 0 feet

Side yard setback: 5 feet

Total width of both side yards: 15 feet

Rear yard setback: 50 feet

Building height: 3 stories/35 feet

Floor Area Ratio: 1.0

18. As set forth on the Conceptual Site Plan, multifamily dwellings require 1.5 spaces per dwelling unit, which would result in a requirement of 27 spaces for the Proposed Project.

19. The Proposed Project provides a total of 27 parking spaces.

### **The Proposed Amendments**

#### **A. The Proposed Amendment is Appropriate and Consistent with Development in the Village**

20. Petitioner requests that the Village Board approve the Proposed Remapping and Text Amendment. See Exhibits "B" and "C"

21. The site's current zoning, and all of the surrounding zoning, currently permits one-family residential uses either as of right or by special permit. Thus, the Petitioner submits that the residential use it proposes comports with the existing uses permitted in the Zoning District, as well as those uses neighboring the Property.

22. For example, to the north of the Property there are currently single family homes and some small businesses, including the Community Market.

23. To the west, across the street from the Property, existing uses currently include single family homes and some small businesses, including Tequila Sal Y Limon, Bunbury's Coffee Shop, and the Tappan Zee Thrift Store.

24. To the south of the Property, existing uses include 14 & Hudson Kitchen and Bar.

25. To the east of the Property is, generally, parking and some other empty lots, beyond which there are some small businesses, some residences, and the pier.

26. Therefore, again, the Petitioner submits that its residential Proposed Project comports with the surrounding mix of uses in the vicinity of the Property.

27. Additionally, the Proposed Project meets the goals of the Village to create a more resilient waterfront, by fostering a use that is marketable, which will help to build a more resilient future for the Village and support “improvements on [the] waterfront.” (See [https://www.piermont-ny.gov/government/waterfront\\_resiliency\\_commission.php](https://www.piermont-ny.gov/government/waterfront_resiliency_commission.php)) (calling for “resilient waterfront recommendations”). The Proposed Project also meets the goals of the Village’s Local Waterfront Revitalization Program to provide a more diverse housing stock.<sup>2</sup>

28. The Proposed Project would revitalize and redevelop an underperforming waterfront site with a residential use that is compatible with the surrounding uses but also unique and diverse. See Village of Piermont Local Waterfront Revitalization Program (June 5, 2018), at 93.

29. The proposed amendments to the bulk requirements for the RM-District would facilitate the project and would likewise have minimal, if any, impact on the conformity of other multifamily buildings within Piermont. Moreover, the dimensions of this project and the attendant amendments to the bulk requirements this Petition seeks are in keeping with the buildings neighboring and surrounding the Property.

30. Finally, the Petitioner submits that because the RM-District to which the Petitioner seeks a remapping only allows multifamily residences like the one being proposed as a special permit use, subject to all of the requirements of Article XIII (Special Permits) of the Zoning Code, the Village will retain control over the approvals process for this type of development and can ensure that the use conforms to other similar multifamily developments within the Village. See Zoning Code § 210-75(A) (listing standards applicable to all special uses,

---

<sup>2</sup> (See [https://www.piermont-ny.gov/document\\_center/Forms%20&%20Applications/Piermont%20Waterfront%20Resiliency%20Committee/LWRP%20June%202018.pdf](https://www.piermont-ny.gov/document_center/Forms%20&%20Applications/Piermont%20Waterfront%20Resiliency%20Committee/LWRP%20June%202018.pdf)) (“Piermont’s housing stock is primarily owner-occupied with 68% of residents living in the home they own, while 32% of residents’ rent. The median value of an owner-occupied home in Piermont is \$626,300 which is significantly higher than the Rockland County median home value of \$419,100.”).



and particularly stating “location and size of the use” and “size of the site in relation to it” as a standard the that the Board of Trustees may utilize in deciding whether to grant a special permit).

**B. The Remapping, Text Amendment and Proposed Project Would  
Not Result In Significant Adverse Environmental Impacts**

31. For Petitioner to utilize the Property as proposed, it would need to receive approvals from the Village Board for: (i) the Proposed Amendments to effectuate the Zoning Map change and text amendment to the bulk requirements; (ii) Special Permit approval for the specific Proposed Project; and (iii) Site Plan approval for the specific Proposed Project in accordance with Section 210-77(C) of the Zoning Code.

32. The Proposed Amendment seeks to remap and revise the bulk table for the Village’s current RM-District, and the adoption of this Amendment, and the Special Permit and Site Plan approval for the Proposed Project, would all require compliance with SEQRA.

33. The Petitioner submits that its Proposed Project minimizes any adverse environmental impacts.

34. Petitioner also acknowledges that it will need to receive additional outside agency approvals, potentially including, but not limited to, the New York State Department of Environmental Conservation, New York State Historic Preservation Office, U.S. Army Corps of Engineers, County Department of Health, and Orangetown Sewer District. During those processes, Petitioner would be required to fully study all additional environmental impacts.

35. During the Special Permit and Site Plan approval process for the specific Proposed Project, the Village Board could also require Petitioner to study site-specific environmental impacts further, if necessary.

## CONCLUSION

36. We submit that this Petition and the Proposed Amendments present the Village Board with an excellent opportunity to provide a use in the Village that is marketable and would restore an important, visible property within the Village.

37. The Proposed Project would increase property tax rates in the Village, and is consistent with the pattern of development both in the Village and surrounding the Property.

38. Accordingly, Petitioner respectfully requests that the Village Board accept this Petition, declare itself Lead Agency for the purposes of conducting an environmental review of this Petition under SEQRA and advance its review of this Petition and the Proposed Project.

**WHEREFORE**, Petitioner respectfully requests that the Village Board: (a) pursuant to Code Sections 1-7 and 210-108, amend the Code to re-map the Premises located at 447-477 Piermont Avenue, New York – which is the area designated on the Tax Assessment Map of the Village of Piermont Section 75.55, Block 1, Lots 14.1, and 14.2, along with Lot 13 and a portion of neighboring undesignated parcels depicted on the attached Site Plan, Exhibit A – from the B/Business District and RD-West District to the R-M (Multifamily Residence) District; (b) to amend the bulk requirements for the R-M District in accordance with Exhibit “B,” hereto; and (c) declare itself Lead Agency for the purposes of conducting environmental review under SEQRA.

Dated: White Plains, New York  
November 9, 2021

ZARIN & STEINMETZ

By: \_\_\_\_\_

David S. Steinmetz  
Lee J. Lefkowitz  
*Attorneys for the Petitioner*  
81 Main Street, Suite 415  
White Plains, NY 10601  
(914) 682-7800

Exhibit "A"  
Conceptual Site Plan



Exhibit "B"  
Draft Text Amendments

Amend Section 210-42 (B), setting forth the dimensional requirements for multiple dwellings:

C. Multiple Dwellings

- (1) Minimum Lot area: 18,000 sqft, 1000 square feet per dwelling unit
- (2) Minimum lot width: 40 feet per acre
- (3) Required front yard setback: 0 feet
- (4) Required side yard setback: 5 feet
- (5) Total width of both side yards: 15 feet
- (6) Required rear yard setback: 50 feet
- (7) Maximum building height: three stories, but not more than 35 feet. The lower story must have direct access to the outdoors requiring no more than three steps.
- (8) Maximum floor Area Ratio: 100%

Exhibit "C"  
Surveys







Exhibit "D"  
Consents



**WEIS**  
LAW GROUP

837 Broadway \* Norwood, New Jersey 07648

201.567.2600 - *Main*  
201.567.7010 - *Direct*  
201.567.5969 - *Fax*

WLAWGROUP.NET

**August 26, 2019**

Phil Griffin  
1 Roundhouse Road  
Piermont, N.Y. 10968

**RE: Piermont Developers, LLC**

Dear Mr. Griffin:

AS you are aware my client is proposing to develop a certain parcel of land almost directly across from Boro hall on Piermont Avenue. A portion of that development would include land that is owned by you. This letter shall memorialize that you consent to my clients application to both rezone and obtain site plan approval. Further, this letter shall serve as authorization for Piermont Developers, LLC or an authorized representative to appear before the Piermont Planning Board or other such body as necessary for an approval process.

I would ask that you sign the bottom of this letter, indicating your acknowledgement, and return same to my office, so that my client may proceed accordingly.

Very truly yours,

**Craig R. Weis, Esq.**

**Phil Griffin**

CERTIFICATION OF OWNERSHIP  
&  
CONSENT TO MAKE APPLICATION

I, Timothy Woods, Managing Member of Tavern 14, LLC being of full age, hereby certify that I am the owner in fee of that certain lot, piece or parcel of land situated in the Village of Piermont, Town of Orangetown, County of Rockland and known and designated as Lot 13 in Block 1 (the "Property").

I consent to Piermont Developers, LLC, including the Property in its applications before the Village of Piermont Zoning and Planning Boards seeking site plan and other land use approvals to develop a mixed use building on its property as well as this Property.

This consent does not grant the Applicant any rights to the Property including contract, leasehold, mortgage, security, license or otherwise. 14 & Hudson may withdraw its consent at any time and for any reason or no reason, without penalty.

Tavern 14, LLC

Date: 10/27/20

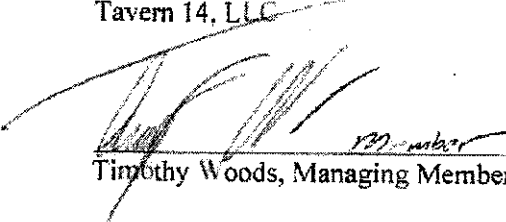
  
\_\_\_\_\_  
Timothy Woods, Managing Member

Exhibit "E"  
3D Rendering



**Stephanie De Curto Pantale Architect**

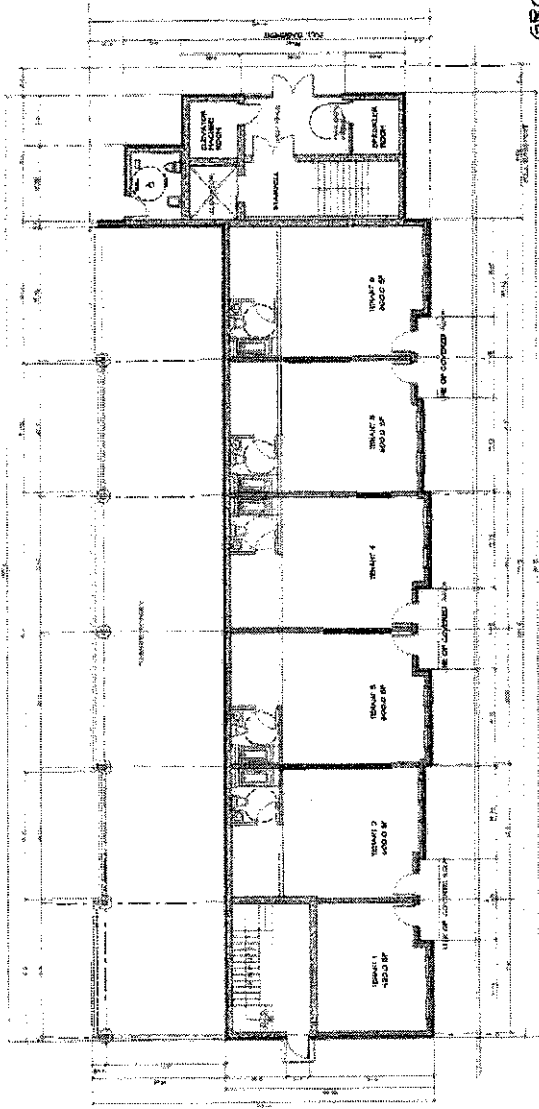
704F Chestnut Ridge Rd.  
 Montvale, N.J. 07645  
 Tel: (201) 573-8000  
 Fax: (201) 573-8010

Professional Engineer  
 License No. 12789  
 State of New Jersey

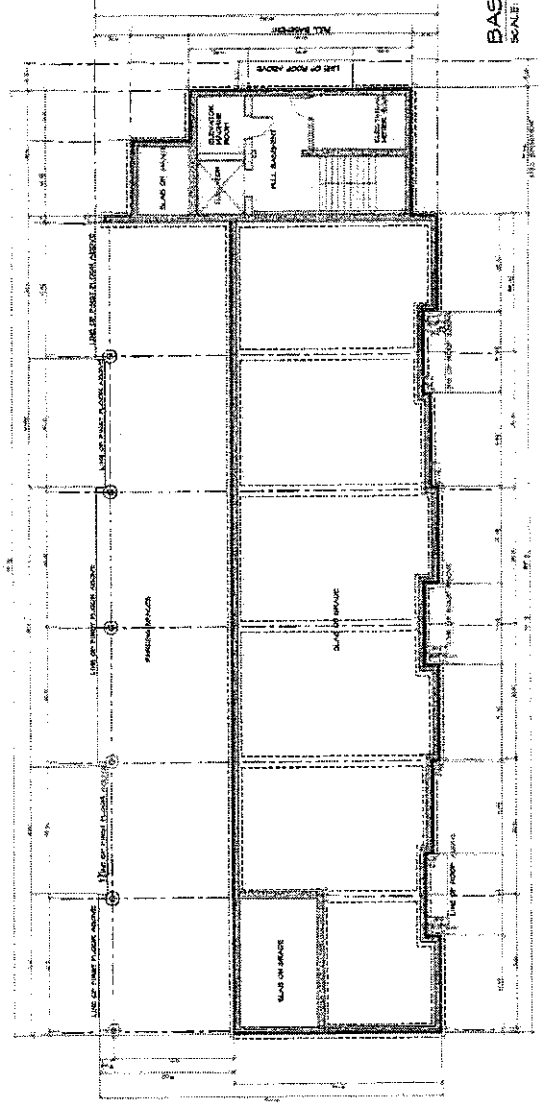
No.	Date	Revisions

**FOUNDATION - GROUND FLOOR**  
 PROJECT: ARCHITECTS & CONSULTANTS HOLDING COMPANY  
 457-177 PINEBROOK AVE. PINEBROOK, NJ 07643  
 OWNER: PINEBROOK DEVELOPERS, LLC  
 100 BROADWAY, PINEBROOK, NJ 07643  
 SECTION: EBLOCK: LOT 13, 14 & 14.2  
 DATE: 10-29-2010

DRAWING NO. **A2**  
 PROJECT NO. 2011-0382



**GROUND LEVEL FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"



**BASEMENT / FOUNDATION PLAN**  
 SCALE: 1/8" = 1'-0"







