

VILLAGE BOARD:VILLAGE OF NYACK

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In the Matter of the Application of

TZ VISTA, LLC

PETITION

For a text amendment to the Zoning Code relating to development  
within the Waterfront Development (WF) District  
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TO THE BOARD OF TRUSTEES OF THE VILLAGE OF NYACK, NEW YORK:

1. Petitioner, TZ Vista, LLC (“TZ Vista”) is the owner of real property located at 55 Gedney Street, Village of Nyack, Rockland County, New York, which real property is designated on the Tax Map of the Town of Orangetown as Section 66.39, Block 1, Lots 1 and 2 (the “Parcel”).

2. The Parcel is generally bounded by Gedney Street to the West, Main Street to the South, the Hudson River to the East, and the Nyack Boat Club to the North. The total area of the parcel is approximately 6.416 acres, of which 3.137 acres are within the Hudson River and 3.279 acres are uplands. There is approximately 496 feet of frontage along Gedney Street and approximately 163 feet of frontage along Main Street. It is in the WF (Waterfront Development) District.

3. Attached as Exhibit A is a portion of the tax map showing the location of the Parcel.

***Existing Conditions***

4. The Parcel is currently vacant and undeveloped. It was the site of contamination and designated as a brownfield. The northern part of the site is currently being remediated by a prior owner, Orange and Rockland Utilities, Inc., and the southern part of the site will be remediated by Foot of Main, LLC, both pursuant to plans approved by the New York State Department of Environmental Conservation and other regulatory authorities.

5. To the South of the Parcel is the Clermont Condominium complex. This complex consists of a number of low-rise and one mid-rise (12 stories) multi-family residential buildings. There are some commercial units on the ground floor of the mid-rise building. The Parcel is separated from the Clermont buildings by that complex's parking area. Also to the South, across Main Street, are a mix of residence types, in various states of repair, on typical village lots.

6. To the West of the Parcel, across Gedney Street, and beginning at Main Street, are a series of parking lots, with village residential lots behind (further West and uphill). Beginning at High Avenue, and continuing to the North, village residential buildings line the West side of Gedney Street. The land slopes upward, toward the West. Further, still, to the West is the downtown Nyack business district.

7. Immediately North of the Parcel is the Nyack Boat Club, which provides in-water and on-land boat storage year-round. Beyond the Nyack Boat Club are a series of six-story mid-rise apartment buildings, dating to the early 1960s.

8. Attached as Exhibit B is the 2012 Generalized Land Use Map prepared by the Rockland County Department of Planning for the area surrounding and including the Parcel.

9. The WF District extends along the east side of Gedney Street, from opposite Ackerman Place in the North to Main Street in the South, then continues along the riverfront to and including Memorial Park. The West side of Gedney Street is in the Two-Family Residential (TFR) District, with the exception of the properties at the intersection of Gedney and Main Streets, which are in the Downtown Mixed Use (DMU) District.

***Waterfront Development (WF) District Requirements<sup>1</sup>***

10. The Waterfront Development (WF) District is intended to promote the use of the Hudson River waterfront and to “encourage a proper balance of uses in and near the waterfront by facilitating water-dependent uses where public access will be provided, and to preserve the aesthetics and ambiance of the area.” Village of Nyack (“VON”) Code § 360-2.5.B(1). To that end, the “specific intent” of the WF zoning regulations are to:

- (a) Maximize the utilization of waterfront land by water-oriented uses which require a waterfront location.
- (b) Regulate uses that may be enhanced by a location along or near the shoreline but do not require a waterfront location.
- (c) Maximize physical public access from the land to and along the Hudson River shoreline.
- (d) Protect water quality, fish and wildlife, scenic views and natural vegetation and enhance aesthetic resources to the greatest feasible extent.

VON Code § 360-2.5.B(1).

11. The WF District attempts to achieve its goals by the use of special standards not applicable elsewhere in the Village. Site development review standards emphasize the need to preserve views of the Hudson River and the relationship of the Village, existing development and new development with the River. VON Code § 360-2.5.B(2)(a)

12. The District’s bulk regulations affect not only height and general massing of buildings, but also limit building widths, with the aim toward preserving and enhancing view corridors to the River. VON Code § 360-2.5.B(2)(b).

13. In addition to these regulations, incentives are granted to new developments which further enhance the aims of the WF District. Thus, building height, building width, and floor area ratio (“FAR”) may all be increased above the standard maxima if, respectively, building width is

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<sup>1</sup>A copy of the current WF District regulations are attached as Exhibit C.

reduced, an additional view corridor is present, and/or public waterfront access or amenities are made available. VON Code § 360-2.5.B(2)(c).

***Proposed Amendments to the WF District Regulations***

14. The last major parcel to be developed within the WF District is section II of the Clermont Condominium complex. This development included low-rise (4-story) and mid-rise (12-story) buildings. The current WF regulations were adopted after construction of Clermont section II. Thus, there has been no development under the current regulations, nor, to your Petitioner's knowledge, has there been a serious attempt at development under these regulations.

15. In reviewing the current regulations and attempting to apply them to the Parcel, it became apparent to Petitioner that the regulations could be improved in order to meet current thinking with respect to the waterfront, view corridors and building footprints. These improvements would yield more public access to the waterfront, a reduction in the amount of waterfront land devoted to parking, and an increase in the width of the view corridors that are to be provided. At the same time, they would allow more efficient and productive development of the land.

16. To that end, Petitioner proposes a number of amendments to the incentives built into the WF District regulations. In particular, the Petitioner proposes (1) an increase in the maximum building width to correspond to the greater number of view corridors; (2) an increase in the maximum available FAR in return for more public access, provision of public art, and monetary contributions for waterfront improvements; and (3) an increase in the maximum building height in return for structured underground parking. The text of these amendments is attached as Exhibit D.

17. The first amendment is intended to recognize those situations where more than one view corridor is available. When the Code was adopted, it appears that the framers did not consider the possibility that a parcel could be assembled that could afford more than two ~~one~~ view corridors. Where, as here, there are three corridors, the Code does not recognize the additional burden placed on a project. The proposed amendment rectifies that situation.

18. The second amendment would allow an increase in FAR in return for a doubling of the amount of land devoted to public access, providing public art, or making a monetary contribution toward waterfront improvements. One purpose of the WF District is to “maximize physical public access from the land to and along the Hudson River shoreline.” VON Code § 360-2.5.B(1)(c). This proposed amendment meets this objective directly by providing an incentive to provide even more public space than is currently authorized by the Code or by improving that space.

19. The third amendment allows for greater building height in return for underground structured parking. Underground structured parking, though extremely expensive to provide, is preferable in a waterfront area. It significantly reduces the footprint of parking areas when compared to comparably-sized grade-level parking. The reduced parking footprint allows for more intelligent and efficient storm water management. Underground structured parking is also more aesthetically pleasing than is grade-level parking – an important consideration along the waterfront.

20. Your Petitioner fully intends to take advantage of these incentives, if adopted. These incentives will make its development financially feasible while simultaneously improving the waterfront for the use of all Nyackers.

WHEREFORE, your Petitioner asks that the Board consider and enact the amendments to the WF District regulations proposed herein.

Dated: April 2, 2015  
Nyack, New York

TZ VISTA, LLC

By:   
William F. Hellmer, Member



AT A SPECIAL MEETING OF THE  
MEMBERS OF TZ VISTA, LLC

At a special meeting of the Members of TZ Vista, LLC (the "Company"), the following resolution was duly moved, seconded and adopted:

RESOLVED, that William F. Helmer and Drazen Cackovic, members of the Company, be and hereby are authorized, separately or together, to execute the following documents on behalf of the Company in connection with its application for municipal land use approvals from the Village Nyack:

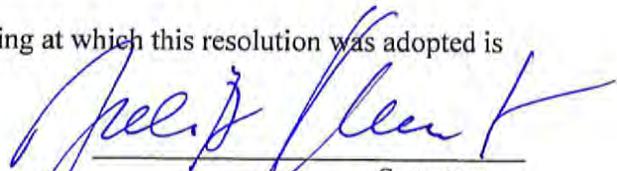
- Petition for amendment of the requirements of the WF District;
- Application for site plan approval;
- Application for subdivision approval;
- Environmental Assessment Form;
- all other related documents;

all as they relate to the development of real property located on Gedney Street, Nyack, New York and designated on the Tax Map of the Town of Orangetown as Section 66.39, Block 1, Lots 1 and 2;

and be it further

RESOLVED, that notice of the special meeting at which this resolution was adopted is hereby waived.

Dated: April 2, 2015  
Nyack, New York

  
\_\_\_\_\_  
Secretary  
Julia K. Kohnert

## Affidavit Pursuant to General Municipal Law Section 809

State of New York    )  
County of Rockland   ) ss.:

William F. HELNER, being duly sworn, deposes and says:  
*Applicant's Name*

I am the applicant or an officer or member of the applicant in this matter. I make these statements to induce the Town/Village of Nyack, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Village will rely upon the statements made herein.

All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application **and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner** in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

C. To the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the said Town or Village in the petition, request or application or in the property or subject matter to which it relates:

**(if none, so state)**

a. Name and address of officer or employee NONE \_\_\_\_\_

b. Nature of interest \_\_\_\_\_

c. If stockholder, number of shares \_\_\_\_\_

d. If officer or partner, nature of office and name of partnership \_\_\_\_\_

e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. \_\_\_\_\_

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the said Town or Village.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Applicant's Signature William F Helmer

Print Applicant's Name WILLIAM F. HELMER

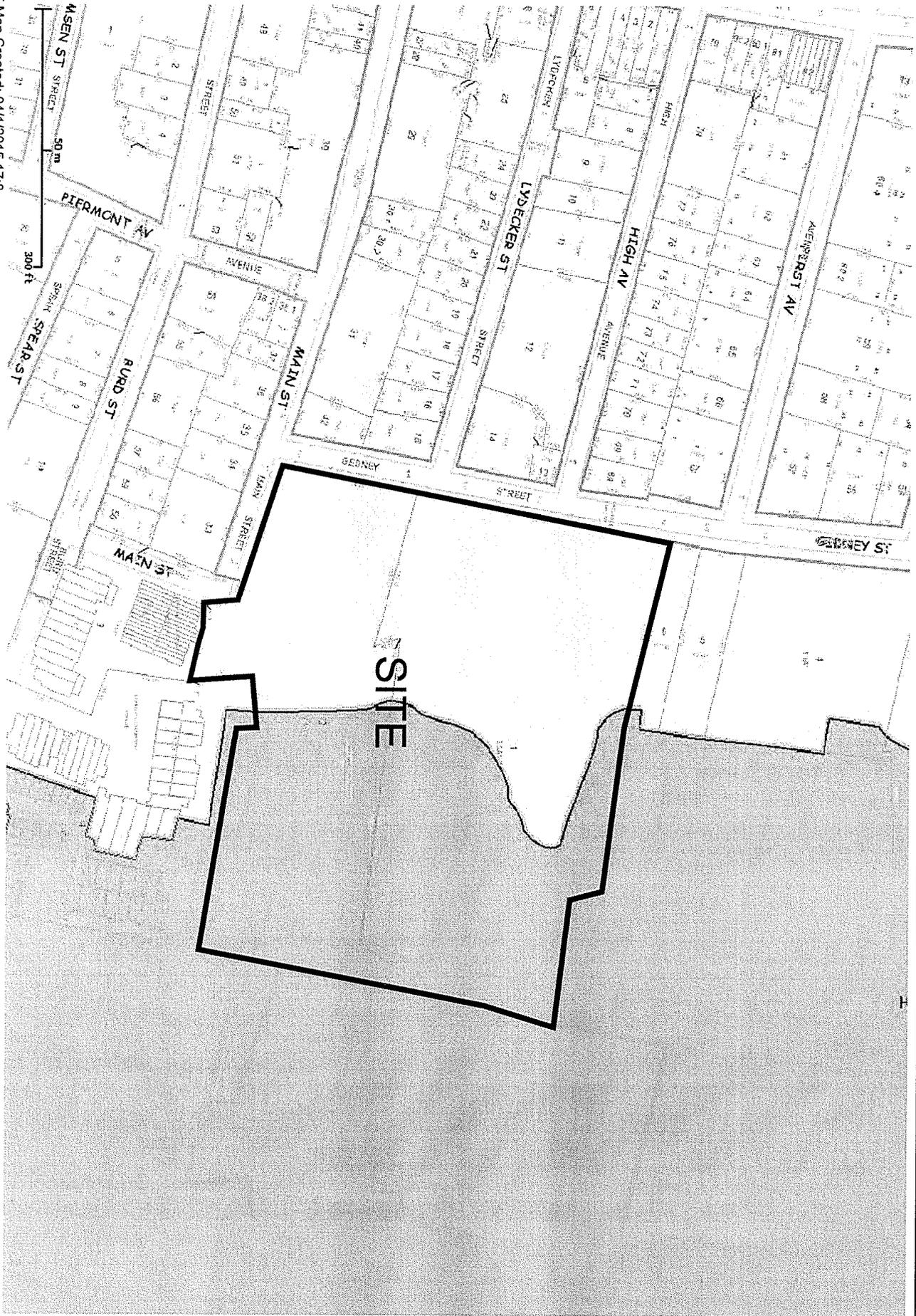
SWORN to before me this 2<sup>nd</sup> day of April, 2015

Maureen C. Hyack

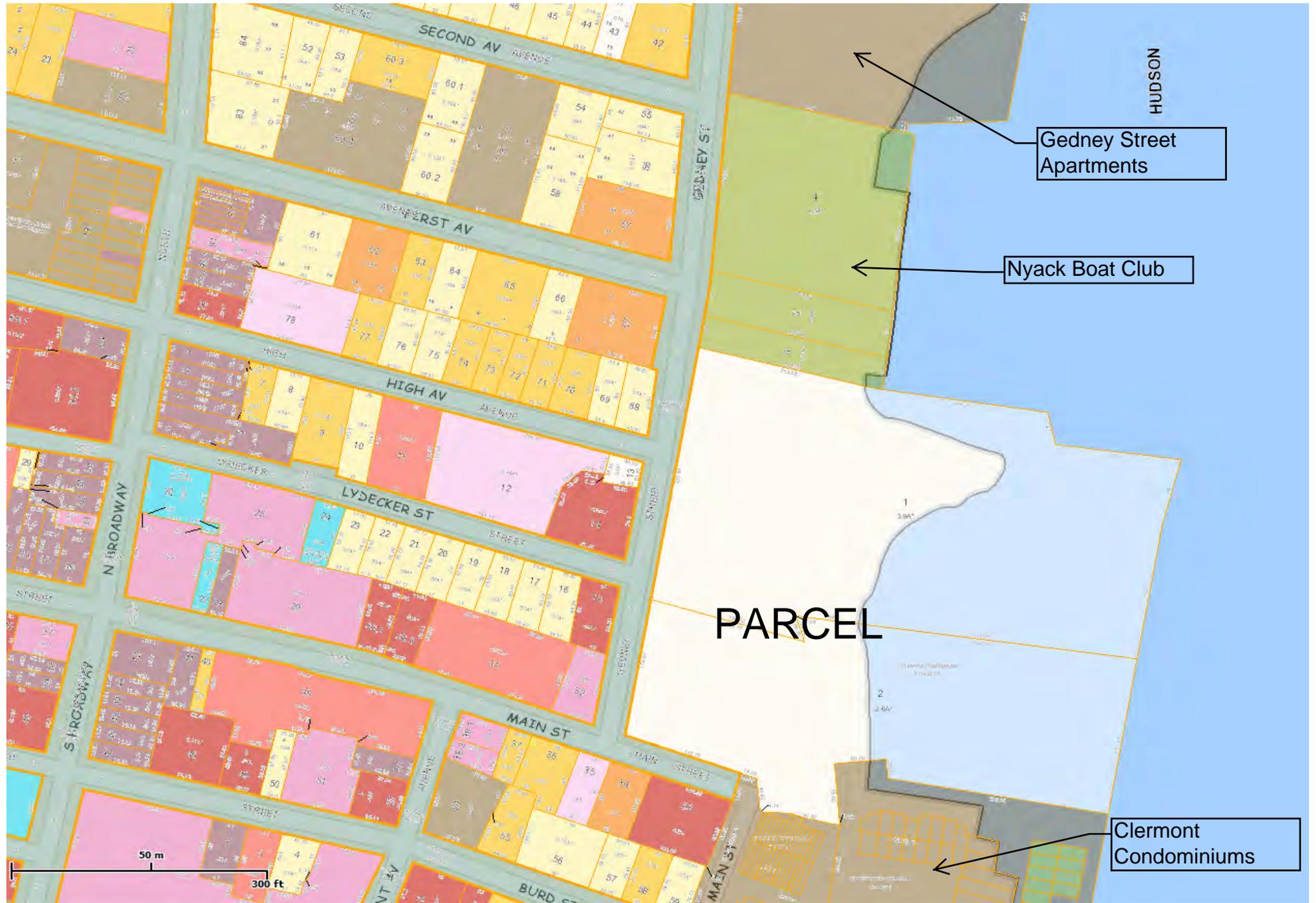
MAUREEN C. HYACK  
Notary Public, State of New York  
01LY6144263  
Qualified in Rockland County  
Commission Expires April 24, 2018

# TZ Vista Exhibit A

Map Source: Rockland County Department of Planning - GIS

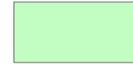
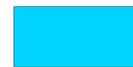
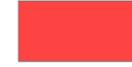


Map Source: Rockland County Department of Planning - GIS



# Legend

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- |  |   |   |   |
|--|---|---|---|
|    | Village Boundaries                        |    | Town Boundary                             |
|    | One Family Residential                    |    | Agricultural                              |
|    | Two Family Residential                    |    | Local Park/Open Space                     |
|    | Three Family Residential                  |    | Public Park/Open Space                    |
|    | Multi Family Residential                  |    | Private Recreation/<br>Private Open Space |
|    | Multi Family Residential - Senior Housing |   | Institutional/Quasi-Public                |
|   | Mixed Use (Residential/Commercial)        |  | Utilities                                 |
|  | Office                                    |  | Vacant                                    |
|  | Light Industrial/Warehouse                |  | Road                                      |
|  | Heavy Industrial                          |  | Railroad                                  |
|  | Local Neighborhood                        |  | Under Water                               |
|  | General Business/Community Commercial     |  | Not Yet Classified                        |
|  | Regional Commercial                       |   |   |

VON Code, Section 360-2.5. Other Districts.

B. Waterfront Development District (WF).

(1) Purpose. The purpose of the WF District is to provide for and encourage uses along and near the Hudson River related to and appropriate for a waterfront area. The zoning district is intended to encourage a proper balance of uses in and near the waterfront by facilitating water-dependent uses where public access will be provided, and to preserve the aesthetics and ambiance of the area. In order to provide a district in which commercial uses at the shoreline will be compatible with other waterfront uses and objectives and encourage the overall development of the Village, the specific intent of this section is to:

(a) Maximize the utilization of waterfront land by water-oriented uses which require a waterfront location.

(b) Regulate uses that may be enhanced by a location along or near the shoreline but do not require a waterfront location.

(c) Maximize physical public access from the land to and along the Hudson River shoreline.

(d) Protect water quality, fish and wildlife, scenic views and natural vegetation and enhance aesthetic resources to the greatest feasible extent.

(2) District specific standards.

(a) Site development plan approval. All buildings and other uses of land within the WF District shall be subject to review by the Planning Board in accordance with the provisions of § **360-5.7**. In addition to the considerations set forth in § **360-5.7**, the Planning Board shall consider the following factors for review:

[1] The quality and extent of views from the adjacent public streets through the property to the Hudson River.

[2] The design and relationship of development to the waterfront as viewed from the Hudson River.

[3] The design and function of any easement or other access provided to the water's edge, including new bulkheading.

[4] The eligibility of proposed development to utilize any of the development incentives set forth in § **360-2.5B(2)(c)**.

[5] The consistency of such incentive features with the Village's Comprehensive Master Plan and related studies and plans adopted by the Village Board of Trustees.

[6] The quality of design of the proposed development as determined by the Architectural Review Board in accordance with its review in accordance with § 360-5.15C.

(b) Special bulk requirements. The following requirements shall apply to all development within the WF District:

[1] Building height. No buildings or structures shall be erected to a height in excess of 35 feet, except as provided in § **360-2.5B(2)(c)[1]**.

[2] Building width. The total cumulative width of buildings, structures, fences or walls more than 30 inches in height shall not occupy more than 50% of the width of a parcel as measured along a line parallel to the adjacent street measured at the front yard. Of the remaining open area, one uninterrupted space shall be at least 30% of such parcel width, unless the parcel provides more than one view corridor as required in § **360-2.5B(2)(b)[4]**.

[3] Riverfront setback. An average setback of 50 feet shall be provided from any buildings or structures on a lot to the normal high-water line of the Hudson River unless its design requires a location closer to such water line, as determined by the Planning Board. No part of any building or structure shall be closer than 15 feet to the normal high-water line.

## EXHIBIT C

[4] View corridor. In addition to any general requirements required by the View Protection Overlay District established in § 360-4.4B, the following specific requirements apply within the WF District:

[a] A view corridor to the Hudson River shall be maintained at the intersection where each street intersects Gedney Street or Piermont Avenue and at the northerly end of Gedney Street.

[b] Such view corridor shall have an unobstructed width of at least 50 feet at the street line and 100 feet at a distance 300 feet from such street line, measured perpendicular to the center line, extended, of such intersecting street. Such view corridor shall be unobstructed as to height; however, buildings may be located in this corridor if their highest elevation is below that of the mean elevation of the adjacent street line.

[c] No parking shall be allowed in the view corridor unless it is screened from view, and any landscaping within the view corridor shall be maintained at a height no greater than three feet from the mean level of the street line within the view corridor.

(c) Development incentives. In order to encourage development which promotes the purposes for which the WF District has been established and to achieve the benefit of preserving the viewshed to and along the Hudson River, the following exceptions to the bulk requirements set forth above and in the lot and bulk regulations for the WF District may be permitted by the Village Board. Only one such exception may be granted for each property for each of the following categories:

[1] Building height may be increased to no more than 45 feet under the conditions as follows: Maximum height may be increased by five feet for each five-percent reduction of maximum permitted width, up to a maximum of 45 feet (e.g., if width is 45%, maximum permitted height is 35 feet; if width is 40%, maximum permitted height is 40 feet). In the case of a building 40 to 45 feet in height, the exceptions to height limitations set forth in § 360-4.2C(2), as amended, shall not apply.

[2] Building width may be increased to a maximum of 60% of the width of a parcel if the parcel provides more than one view corridor as required in § 360-2.5B(2)(b)[4].

[3] Floor area ratio may be increased to no more than 0.90 under the conditions as follows: the provision of special waterfront improvements open to the public, such as but not limited to park or plaza facilities, boat-launching facilities or off-street parking in addition to the parking required for the use intended for the site.

(d) Determination of lot area. To determine the maximum number of residential dwelling units that can be allowed on a parcel of land within the WF District, and for all other uses, the lot area of the site shall be determined by subtracting from the gross acreage of the site the following:

[1] Land below the normal high-water line of the Hudson River.

[2] Land shown to be in the floodway or coastal high-hazard area (A and B Zones) of the Federal Emergency Management Agency's Flood Boundary and Floodway Map or Flood Insurance Rate Map.

[3] Land located within an easement that precludes development.

(e) Public access. Permanent public access must be provided from the adjacent public street to and along the Hudson River if the property is used for any of these uses: multifamily dwellings, art gallery, arts/crafts studio, bar or tavern, bed-and-breakfast, inn, hotel or motel, office-general, restaurant, retail sales and service, or public utility structure. Such access, in the form of a permanent easement, shall be at least 12 feet wide for at least 75% of its length and shall extend along the normal high-water line of the Hudson River for the width of the property and shall be part of a continuous connection between the north and south boundaries of the property. Porous pavement material, such as cobblestone, brick, etc., suitable for pedestrian use, at least six feet wide, shall be provided for the entire length of the easement; suitable landscaping shall also be provided. The access easement shall provide for

permanently unobstructed views or vistas of the Hudson River along its entire length. Provision satisfactory to the Village Board shall be made by the property owner for maintenance of the public access.

(f) Sidewalks. Sidewalks conforming to Village specifications shall be provided on the street frontage of the lot and/or within the right-of-way of any street located adjacent to a lot. The sidewalk material shall be continuous through the drive.

VON Code Sec. 360-2.5. Other Districts.

B. Waterfront Development District (WF).

(1) Purpose. The purpose of the WF District is to provide for and encourage uses along and near the Hudson River related to and appropriate for a waterfront area. The zoning district is intended to encourage a proper balance of uses in and near the waterfront by facilitating water-dependent uses where public access will be provided, and to preserve the aesthetics and ambiance of the area. In order to provide a district in which commercial uses at the shoreline will be compatible with other waterfront uses and objectives and encourage the overall development of the Village, the specific intent of this section is to:

- (a) Maximize the utilization of waterfront land by water-oriented uses which require a waterfront location.
- (b) Regulate uses that may be enhanced by a location along or near the shoreline but do not require a waterfront location.
- (c) Maximize physical public access from the land to and along the Hudson River shoreline.
- (d) Protect water quality, fish and wildlife, scenic views and natural vegetation and enhance aesthetic resources to the greatest feasible extent.

(2) District specific standards.

(a) Site development plan approval. All buildings and other uses of land within the WF District shall be subject to review by the Planning Board in accordance with the provisions of § 360-5.7. In addition to the considerations set forth in § 360-5.7, the Planning Board shall consider the following factors for review:

- [1] The quality and extent of views from the adjacent public streets through the property to the Hudson River.
- [2] The design and relationship of development to the waterfront as viewed from the Hudson River.
- [3] The design and function of any easement or other access provided to the water's edge, including new bulkheading.
- [4] The eligibility of proposed development to utilize any of the development incentives set forth in § 360-2.5B(2)(c).

## EXHIBIT D

[5] The consistency of such incentive features with the Village's Comprehensive Master Plan and related studies and plans adopted by the Village Board of Trustees.

[6] The quality of design of the proposed development as determined by the Architectural Review Board in accordance with its review in accordance with § 360-5.15C.

(b) Special bulk requirements. The following requirements shall apply to all development within the WF District:

[1] Building height. No buildings or structures shall be erected to a height in excess of 35 feet, except as provided in § 360-2.5B(2)(c)[1], [4] & [5]. Grade plane level for Building Height determination shall be the mean elevation of Gedney Street measured at the Front Lot Line of the lot or lots on which the structure is located.

[2] Building width. The total cumulative width of buildings, structures, fences or walls more than 30 inches in height shall not occupy more than 50% of the width of a parcel as measured along a line parallel to the adjacent street measured at the front yard. Of the remaining open area, one uninterrupted space shall be at least 30% of such parcel width, unless the parcel provides more than one view corridor as required in § 360-2.5B(2)(b)[4].

[3] Riverfront setback. An average setback of 50 feet shall be provided from any buildings or structures on a lot to the normal high-water line of the Hudson River unless its design requires a location closer to such water line, as determined by the Planning Board. No part of any building or structure shall be closer than 15 feet to the normal high-water line.

[4] View corridor. In addition to any general requirements required by the View Protection Overlay District established in § 360-4.4B, the following specific requirements apply within the WF District:

[a] A view corridor to the Hudson River shall be maintained at the intersection where each street intersects Gedney Street or Piermont Avenue and at the northerly end of Gedney Street.

[b] Such view corridor shall have an unobstructed width of at least 50 feet at the street line and 100 feet at a distance 300 feet from such street line, measured perpendicular to the center line, extended, of such intersecting street. Such view corridor shall be unobstructed as to height; however,

buildings may be located in this corridor if their highest elevation is below that of the mean elevation of the adjacent street line.

[c] No parking shall be allowed in the view corridor unless it is screened from view, and any landscaping within the view corridor shall be maintained at a height no greater than three feet from the mean level of the street line within the view corridor.

(c) Development incentives. In order to encourage development which promotes the purposes for which the WF District has been established and to achieve the benefit of preserving the viewshed to and along the Hudson River, the following exceptions to the bulk requirements set forth above and in the lot and bulk regulations for the WF District may be permitted by the Village Board. All development incentives are subject to review and approval of the Village Board. Any development incentives approved by the Village Board are applicable only to the site plan application for which they have been approved. Only one such exception may be granted for each property for each of the following categories:

[1] Building height may be increased to no more than 45 feet under the conditions as follows: Maximum height may be increased by five feet for each five-percent reduction of maximum permitted width, up to a maximum of 45 feet (e.g., if width is 45%, maximum permitted height is 35 feet; if width is 40%, maximum permitted height is 40 feet). ~~In the case of a building 40 to 45 feet in height, the exceptions to height limitations set forth in § , as amended, shall not apply.~~

[2] Building width may be increased to a maximum of 60% of the width of a parcel if the parcel provides two view corridors, and 70% if the parcel is impacted by more than one view corridor, as required in **§ 360-2.5B(2)(b)[4]**.

[3] Floor area ratio may be increased to no more than 0.90 under the conditions as follows: the provision of special waterfront improvements open to the public, such as but not limited to park or plaza facilities, boat-launching facilities or off-street parking in addition to the parking required for the use intended for the site. Floor area ratio may be increased to no more than 1.75 under the conditions as follows:

- Provision of public access to at least twice the land area required in § 360-2.5B(2)(e) and with special waterfront improvements listed in this paragraph; or
  - Provision of publicly accessible artwork, sculpture, monument or other permanent aesthetic structure on a development site; or
- Contribution in the amount of \$2.50 per square foot of bonusable gross floor area (from 0.9 FAR to 1.75 FAR) to be used on a development site for

improvements to the public area of waterfront, such as walkways, landscaping, railings, walks, or artwork.

[4] Building height may be increased by 20 feet for a project with structured underground parking in lieu of surface parking for a minimum of 90% of required parking spaces. The highest elevation of structured parking roof shall be at, or below the mean elevation of the adjacent street line, and such roof shall not be utilized for parking.

(d) Determination of lot area. To determine the maximum number of residential dwelling units that can be allowed on a parcel of land within the WF District, and for all other uses, the lot area of the site shall be determined by subtracting from the gross acreage of the site the following:

[1] Land below the normal (mean) high-water line of the Hudson River.

[2] Land shown to be in the floodway or coastal high-hazard area (A and B Zones) of the Federal Emergency Management Agency's Flood Boundary and Floodway Map or Flood Insurance Rate Map.

[3] Land located within an easement that precludes development.

(e) Public access. Permanent public access must be provided from the adjacent public street to and along the Hudson River if the property is used for any of these uses: multifamily dwellings, art gallery, arts/crafts studio, bar or tavern, bed-and-breakfast, inn, hotel or motel, office-general, restaurant, retail sales and service, or public utility structure. Such access, in the form of a permanent easement, shall be at least 12 feet wide for at least 75% of its length and shall extend along the normal high-water line of the Hudson River for the width of the property and shall be part of a continuous connection between the north and south boundaries of the property. Porous pavement material, such as cobblestone, brick, etc., suitable for pedestrian use, at least six feet wide, shall be provided for the entire length of the easement; suitable landscaping shall also be provided. The access easement shall provide for permanently unobstructed views or vistas of the Hudson River along its entire length. Provision satisfactory to the Village Board shall be made by the property owner for maintenance of the public access.

(f) Sidewalks. Sidewalks conforming to Village specifications shall be provided on the street frontage of the lot and/or within the right-of-way of any street located adjacent to a lot. The sidewalk material shall be continuous through the drive.