

# Village of Nyack

9 North Broadway, Nyack, NY 10960

Meeting of the Village Board of Trustees

June 11, 2026 7:00 pm

YouTube meeting livestream access link (public comment is in-person only):

[www.nyack.link/youtube](http://www.nyack.link/youtube)

1. **Pledge of Allegiance**
2. **Mayor Rand's Remarks and Comments from the Village Board of Trustees**
3. **Public Comment on Any Topic (1-3 minutes depending on the quantity of speakers)**
4. **Presentation:**

Robert Silarski, Architect, 267 Main Street - zoning map amendment preliminary proposal.

Glen Sungela, Volunteer Recognition, Restoration of Underground RR Historical Markers

5. **Public Hearing –**

**(continued) 7:30 PM** A public hearing to consider a proposed local law to repeal local laws #2 and #7 to amend Chapter 360-3.2(B)(11)(c) so as to refer and defer to New York State's preemptive regulations and laws regarding proximity and distances for cannabis dispensaries.

**8:00 PM** A public hearing to consider a proposed local law to amend Chapter 360 (Zoning) of the Code of the Village of Nyack so as to add provisions regarding adaptive reuse of eligible religious and/or educational buildings and uses, for the purpose of constructing multi-family dwellings.

6. **Adoption of Minutes – Minutes 5/21/26**

7. **Action Items**

THE DRAFT RESOLUTIONS SET FORTH BELOW ARE FOR CONSIDERATION BY THE VILLAGE BOARD OF TRUSTEES ("BOARD"), WHICH RESOLUTIONS MAY BE APPROVED, OR MAY NOT BE APPROVED, OR MAY BE APPROVED WITH MODIFICATION(S), OR MAY BE TABLED WITHOUT ANY ACTION BEING TAKEN BY THE BOARD – THEIR INCLUSION IN THIS AGENDA IS NOT, IN ANY WAY, DETERMINATIVE OF A DECISION, IF ANY, TO BE MADE BY THE BOARD.

- 7.1 **Resolution No. 2026-106 Resolution of the Nyack Village Board Accepting**

**Audited) Voucher Summary**

WHEREAS, the Audited Voucher Summary was presented to the Nyack Village Board of Trustees at its regularly scheduled meeting of June 11, 2026.

RESOLVED, that General Fund Claims set forth on pages 1 through 15 in the below-listed amounts are approved for payment:

General Fund	\$242,360.37
Parking Fund	\$ 18,767.39
Water Fund	\$ 78,716.89
Capital Projects Fund	\$661,804.99
Trust and Agency	\$ 765.00

**7.2 Resolution No. 2026-106 Resolution of the Board of Trustees of the Village of Nyack to Approve a Permit Application from Robert Garcia for a Basketball Event in Memorial Park, August 18, 2026.**

RESOLVED, the Board of Trustees of the Village of Nyack authorizes the issuance of a special event permit to Robert Garcia for a basketball event in Memorial Park, Saturday, August 18, 2026, 4-8 PM. \$150 refundable security deposit required.

**7.3 Resolution No. 2026-107 Resolution of the Board of Trustees of the Village of Nyack to Approve a Permit Application from Zachary Tirgan of Empire State Voices for a Social and Political Event in Memorial Park, June 26, 2026, 5-8 PM.**

RESOLVED, the Board of Trustees of the Village of Nyack authorizes the issuance of a special event permit to Zachary Tirgan of Empire State Voices for a Social and Political Event in Memorial Park, Friday, June 26, 2026, 5-8 PM, including amplified sound, food and games in Gazebo and lawn area. \$150 refundable security deposit required.

**7.4 Resolution No. 2026-108 Resolution of the Board of Trustees of the Village of Nyack to Approve a Permit Application from Brittany Gordon of Not Your Disability for an Event in Memorial Park, Friday, June 19, 2026, 11 AM -4 PM.**

RESOLVED, the Board of Trustees of the Village of Nyack authorizes the issuance of a special event permit to Brittany Gordon of Not Your Disability for an Event in Memorial Park, Friday, June 19, 2026, 11 AM -4 PM., including amplified sound, food vendors, and games in Gazebo and lawn area. \$150 refundable security deposit required.

**7.5 Resolution No. 2026-109 - Resolution of the Nyack Village Board of Trustees to Amend the Village's Standard Schedule of Fees with Regard to Parking Violations**

WHEREAS, the Village Board of Trustees adopted a Local Law to establish a Standard Schedule of Fees for Village operations, and may update this Schedule from time to time by Resolution; and

WHEREAS, with the exception of the meter violation fine, parking violation fines have not changed for many years while costs of personnel and services for parking enforcement increase annually,

RESOLVED, the Board of Trustees of the Village of Nyack adopts changes to the Standard Schedule of Fees enumerated below and directs staff to implement these changes with Duncan Services, the Village's parking enforcement administrative partner.

5/7/26 PROPOSED; REVISED						
	Code	Violation Description	Original Violation	1st Late	Final Fee	CHANGE ADOPTED 6/11/26
Parking	VC	Meter Violation (Street)	\$25	\$40	\$ 60	Increase late fees by \$10 each.
Parking	VC	Meter Violation (Lot)	\$25	\$40	\$ 60	Increase late fees by \$10 each.
Parking	VC	Loading Zone	\$50	\$100	\$ 150	
Parking	V&T	Police Vehicles Only	\$200	\$300	\$ 400	
Parking	V&T	No Parking Here to Corner	\$100	\$150	\$ 200	
Parking	VC	No Parking in Crosswalk	\$125	\$175	\$ 225	Increase initial fine and late fees by \$25 each.
Parking	V&T	Expire or no Inspection	\$50	\$120	\$ 170	Increase late fees by \$20 each.
Parking	V&T	Expired Registration	\$50	\$120	\$ 170	Increase late fees by \$20 each.
Parking	VC	Two Meter Spaces	\$25	\$50	\$ 75	
Parking	V&T	No Parking Anytime	\$50	\$100	\$ 150	
Parking	V&T	More than 12" From Curb	\$15	\$70	\$95	Increase late fees by \$20 each.
Parking	VC	No Standing/ Stopping	\$75	\$125	\$175	Increase initial fine and late fees by \$25 each.
Parking	VC	Alternate Side of Street 3am-6am	\$25	\$60	\$85	Increase late fees by \$10 each.
Parking	V&T	Double Parked	\$50	\$75	\$100	Increase initial fine and late fees by \$25 each.
Parking	VC	No Commercial Parking 3am-6am	\$50	\$100	\$150	
Parking	VC	Failure to Display Marina Permit	\$50	\$100	\$150	
Parking	VC	Snow Emergency Route	\$50	\$100	\$150	
Parking	V&T	Vehicle Unattended	\$50	\$100	\$150	
Parking	V&T	Fire Hydrant	\$200	\$300	\$400	
Parking	V&T	Parked on Sidewalk	\$200	\$300	\$400	
Parking	V&T	Parked Left Side to Curb	\$75	\$100	\$150	
Parking	VC	Over 4hr. Parking Limit	\$50	\$100	\$150	
Parking	VC	Exceeded Time Limitation	\$50	\$100	\$150	
Parking	VC	Special Events Signs Posted	\$75	\$125	\$175	Increase initial fine and late fees by \$25 each.
Parking	VC	Exceeded 1 Hour Limit	\$50	\$100	\$150	
Parking	VC	15 Minute Zone	\$25	\$30	\$35	
Parking	VC	Special Event Vehicle Removal	\$50	\$100	\$150	
Parking	VC	Official Parking Only	\$75	\$125	\$175	Increase initial fine and late fees by \$25 each.
Parking	V&T	No Front Plate	\$60	\$110	\$160	Increase initial fine and late fees by \$10 each.
Parking	VC	Permit Parking Only	\$50	\$100	\$150	
Parking	VC	Fire Zone	\$200	\$300	\$400	
Parking	VC	No Parking 3am-6am	\$50	\$125	\$175	Increase late fees by \$25 each.
Parking	VC	No Parking 6am-9am	\$25	\$50	\$75	
Parking	VC	Handicapped Parking Only	\$200	\$300	\$400	
Parking	VC	Bus Stop	\$50	\$100	\$150	
Parking	VC	Blocking Driveway	\$75	\$125	\$175	Increase initial fine and late fees by \$25 each.
Parking	VC	Idling Prohibited	\$50	\$100	\$150	
Parking	VC	Alternate Side of Street 8am-11am	\$25	\$60	\$85	Increase late fees by \$10 each.
Parking	VC	Alternate Side of Street 6pm-12am	\$25	\$50	\$75	
Parking	VC	EV charging station - non-EV use	\$ 200	NONE	NONE	
Parking	VC	Restaurant bump-out fees	\$125/month plus installation fee			Increase monthly fee to \$200.
Parking	VC	daily occupancy of metered space by a contractor, \$25/day				
		Boat launch permit fees \$50/day - 24 hr launch permit	Page 4 of			Increase initial launch/trailer parking fee from \$25 to \$50, increases fines by \$10 each
Parking Au	250-3		\$50	\$110	\$160	
Parking	330-67	Towing or booting fee	\$ 100			Increase fee by \$50.

**7.6 Resolution No. 2026-110: Resolution, of the Village Board of Trustees, to Approve the FY 2026-2027 Parking Authority Budget**

RESOLVED, the Board of Trustees of the Village of Nyack adopts the attached Nyack Parking Authority Budget for FY 2026-2027.

**7.7 Resolution No. 2026-111: Resolution, of the Village Board of Trustees, to Approve a Promotional Partnership with NexAmp Community Solar**

WHEREAS, NexAmp Community Solar offers discounted electricity to Village residents and small businesses, further discounted for low and moderate income households,

WHEREAS, the cost of electricity has increased in recent years, burdening households also facing increased costs of food, health care, rent, auto insurance and other necessities,

WHEREAS, the partnership with NexAmp supports the Village of Nyack's goal of prioritizing the use of renewable energy and energy efficiency locally, supported by a vigorous committee of volunteers, to reduce greenhouse gas emissions, to help mitigate the global warming that is bringing increased frequency and extremity of heat waves, flooding, airborne pollution and other perils,

WHEREAS, the proposed partnership with NexAmp comes at no cost to the Village and contemplates substantial revenues to the Village from referral fees for new subscribers, while saving local residents and small businesses on the cost of electricity,

RESOLVED, the Board of Trustees of the Village of Nyack authorizes a promotional partnership with NexAmp Community Solar, including the use of the Village logo on a postal mailing and other media and coordination of local events to promote community solar as cost effective and sustainable.

**7.8 Resolution No. 2026-112: Resolution, of the Village Board of Trustees, to Renew an Annual Engineering Consulting Agreement with Weston and Sampson**

WHEREAS, Weston and Sampson, in the person of Eve Mancuso, PE, has provided excellent service to the Village Building Department, and to the Administrator's office for public works project design, contracting and inspection,

RESOLVED, the Board of Trustees of the Village of Nyack authorizes the renewal of Weston and Sampson's engineering consulting agreement for the June 1, 2026 to May 31, 2027 term using the attached fee schedule.

**7.9 Resolution No. 2026-113: Resolution, of the Village Board of Trustees, to Approve a Grant Application for Improvements to the Hillside of the Playground in Memorial Park**

WHEREAS, The Village of Nyack in its 2012 Updated Comprehensive Plan and 2021 Upgraded Local Waterfront Revitalization Plan made upgrading existing parks a priority;

WHEREAS, The public has been involved in and has provided input in workshops and public hearings held throughout the process to update the Comp Plan LWRP, as well as through surveys issued to public, and is similarly involved currently in the planning and implementation of projects to restore and enhance Memorial Park;

WHEREAS, Addressing the deteriorating condition of the hillside connecting the lower section of Memorial Park to the upper needs to be addressed, especially in light of the increasing number of heavy weather events the Village is experiencing;

WHEREAS, Restoration of the Memorial Park hillside provides an opportunity to expand and enhance recreational opportunities for a densely populated village with very limited open space; Whereas: The Village is in need of financial assistance to restore and enhance the Memorial Park hillside, and the NYPLAYS program provides such assistance;

WHEREAS, The Village of Nyack deems it to be in the public interest and benefit to authorize and direct Joe Rand, as Mayor of the Village of Nyack, New York, to file an application for funds to the New York State Dormitory Authority for NYSPLAYS funding for implementing the project entitled “Memorial Park Naturalized Climbing Park.”

NOW, THEREFORE, BE IT RESOLVED BY MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

1. That Joe Rand, as Mayor, is hereby authorized to file an application for funding to NYPLAYS program of the Dormitory Authority of the State of New York;
2. That the Village of Nyack agrees that it will fund its portion of the cost of the Project and that these funds will be available to initiate the Project's work upon execution of a contract with the Dormitory Authority of New York State.

**7.10 Resolution No. 2026-114: Resolution of the Nyack Village Board Approving Publication of Competitive Bids for Senior Center Roof Replacement, Interior Improvements, and HVAC Improvements**

WHEREAS, the Village of Nyack obtained a Community Development Block Grant funding agreement for \$300,000 for improvements to the Nyack Senior Center, and the projects have been designed and prepared for public works contract competitive bidding by the Village consulting engineers, Weston and Sampson,

RESOLVED, in consideration of the fact that the Village seeks to undertake three capital improvement projects at the Senior Center located at 90 Depew Avenue — namely the Roof Replacement Project, the Interior Improvements Project, and the HVAC Improvements Project — the Board of Trustees of the Village of Nyack hereby approves the publication of the completed bid packages for all three projects as soon as possible, subject to review by the Village Attorney, and with deadlines for responses as per the recommendation of the Village Engineer.

FURTHER RESOLVED that the Village Clerk is authorized and directed to publish and distribute the Notices to Bidders, make the Contract Documents available during regular business hours, and take all necessary steps to facilitate receipt of sealed bids in accordance with applicable law and Village procedures.

**7.11 Resolution No. 2026-115 Resolution of the Nyack Village Board Authorizing the Reimbursement of Certain Building Permit and Certificate of Occupancy Fees**

WHEREAS, the Chief Building Inspector has reviewed certain building permit and certificate of occupancy applications and has recommended reimbursement of fees due to permit withdrawals, overpayments, or requests that were withdrawn prior to action by the Building Department; and

WHEREAS, the Board of Trustees has reviewed the recommendations and finds that reimbursement of the fees listed below is appropriate;

NOW, THEREFORE, BE IT RESOLVED, that the Village Treasurer is hereby authorized and directed to issue reimbursement payments as follows:

<u>Applicant</u>	<u>Property Address</u>	<u>Amount</u>
Stuart Chaitin	66 N. Broadway	\$ 200.00
Pascal Akesson	124 N. Broadway	\$ 117.51
Michelle Whalen	120 Main Street	\$ 64.90
Fabulous Events	149 Burd Street	\$5,759.50
PR Builders	38 Fourth Avenue	\$ 200.00

BE IT FURTHER RESOLVED, that the total amount authorized for reimbursement is \$6,341.91.

**7.12 Resolution No. 2026-116 Resolution, of the Village Board of Trustees, to amend Chapter 360 (Zoning) of the Code of the Village of Nyack, so as to add provisions regarding adaptive reuse of eligible religious and/or educational buildings and uses, for the purpose of constructing multi-family dwellings.**

At 8:00 PM, during a regular meeting of the Board of Trustees of the Village of Nyack (“Village”), convened on June 11, 2026 (“Public Hearing date”), the below-described Public Hearing was (i) opened, *or* (ii) was opened at, and continued from, a prior meeting (or meetings), *or* (iii) was opened at, continued from, and closed at, a prior meeting (or meetings); and the following Resolution was duly offered and seconded, to wit:

**WHEREAS**, the Village Board of Trustees (“Village Board”) is the duly elected legislative body of the Village, and authorized to adopt Local Laws amending the Village Code, including amendments to the zoning regulations embodied in Chapter 360 (Zoning) of the Village Code (“Zoning Code”).

**WHEREAS**, the Village Board has published a Notice of Public Hearing in the Journal News, digitally

posted said Notice on the Village’s website, and physically posted the Notice on the Village’s official bulletin board, in accordance with NYS Municipal Home Rule Law §20, with regard to proposed text amendments to the Zoning Code, which amendments are summarized as follows:

The proposed Local Law, if adopted by the Village Board, will foster the renovation and reuse of buildings originally constructed for religious and/or educational uses, and which have historic, architectural, economic, cultural or other value to the Village, and are at risk of becoming under-utilized, blighted, vacant or restricted in future uses, by encouraging the adaptive and flexible reuse of such buildings to allow greater economic and efficient use and occupancy of the property, and to increase the supply of housing (including affordable units) in the Village, and with no net loss of usable open space or outdoor recreational areas on the property, by virtue of allowing redevelopment for multi-family housing in the Single-Family Residential-1 (SFR-1), Single-Family Residential-2 (SFR-2), Two-Family Residential (TFR), and Office Mixed Use (OMU), Zoning Districts. The Village’s housing shortage, and affordability crisis, justify, under specified criteria, the override of certain Village Zoning Code regulations when religious and/or educational buildings are used for multi-family housing that must include a minimum proportion of affordable units, which will help to keep lower-income residents in the Village, and leverage religious and/or educational institutions’ uniquely beneficial community role in serving their communities by enabling them to utilize their stagnant assets to increase the Village’s housing inventory (including affordable units) without direct fiscal cost to the Village. The foregoing summary shall be referred to herein as “legislative intents and purposes.”

The proposed Local Law is appended hereto, made a part hereof and marked as “ATTACHMENT A.”

**WHEREAS**, copies of:

- (i). the proposed Local Law,
- (ii). the State Environmental Quality Review Act (“SEQRA”) Part 1 (Project Information) of the Short Environmental Assessment Form (“SEAF”), prepared, and signed, by Robert (“Bob”) Galvin, AICP, Village Planner (“Village Planner”), dated August 28, 2025, to which is appended the Village Planner’s narrative Memo, dated April 23, 2026 (“narrative Memo”),
- (iii). Part 2 of the SEQRA SEAF (Impact Assessment), prepared and recommended by the Village Planner, dated August 28, 2025,
- (iv). and Part 3 of the SEQRA SEAF (Determination of Significance), prepared and recommended by the Village Planner, dated April 23, 2026;

were all provided to the Village Board, in accordance with NYS Municipal Home Rule Law §20.

**WHEREAS**, following compliance with all public notice requirements as mandated by the applicable NYS statute(s) and the Village Code, and distribution of the proposed Local Law to the Village Board as per NYS Municipal Home Rule Law §20(4), on the Public Hearing date the Village Board (i) opened, *or* (ii) previously opened at a prior meeting, and held open/continued, *or* (iii) previously opened and held open/continued, and closed, at a prior meeting (or meetings), a Public Hearing on the proposed Local Law.

**WHEREAS**, the Rockland County Planning Department, pursuant to NYS General Municipal Law (“GML”) §239-1, *et seq.*, reviewed the proposed Local Law and provided a GML review report to the Village Board, dated May 26, 2026 (“GML report”), which GML report recommended the following

Modifications, summarized as follows: #1 recommends that the “Village should consider amending Section 120-1(C)(1) to include the OMU zoning district for consistency,” and #2 recommends that “[i]nterior and exterior alterations be consistent with federal and state historic preservation laws, as well as local, which in turn may provide developers with grant opportunities related to historic preservation of religious structures;” regarding which the Village Board hereby overrides the said Modifications numbered “1” and “2,” for the reasons set forth below, and for the additional reasons set forth in the Village Planner’s narrative Memo:

1. Reasons(s) for the override of Recommended Modification #1 – The proposed Local Law’s (“LL”) language, which states “in accordance with Chapter 120,” is intended to reference the administrative procedures and definitions of Village Code Chapter 120 (Affordable Housing), not to create a Chapter 120 apartment building for all Adaptive Reuse projects; i.e., the proposed LL contemplates a separate and distinct development project, independent of Chapter 120, which proposed LL’s references to Chapter 120 is for the purpose of referring to the applicable administrative procedures and definitions of Chapter 120. In other words, the proposed LL is not a Chapter 120 project, but refers to the administrative procedures and definitions of Chapter 120.
2. Reasons(s) for the override of Recommended Modification #2 – The Village Board’s predominant legislative intent and purpose, precipitating this proposed LL, is to foster the renovation and reuse of buildings originally constructed for religious and/or educational uses, and which have historic, architectural, economic, cultural or other value to the Village, and are at risk of becoming under-utilized, blighted, vacant or restricted in future uses, by encouraging the adaptive and flexible reuse of such buildings to allow greater economic and efficient use and occupancy of the property, and to increase the supply of housing (including affordable units) in the Village, and with no net loss of usable open space or outdoor recreational areas on the property, by virtue of allowing redevelopment for multi-family housing. Although the Rockland County Planning Department’s GML report’s Recommended Modification #2 may have some merit, which the Village Board of Trustees may consider in the future, it is not a legislative priority at this juncture.

**WHEREAS**, prior to the Public Hearing, the Village Board sought comments on the proposed Local Law from the Village Planning Board (“PB”), as per Village Code §360-5.6(B)(3)(a); and the PB reviewed the Local Law at its meeting held on June 1, 2026, and provided a written advisory opinion/recommendation to the Village Board as follows:

- The PB is generally in favor of the Adaptive Reuse concept as reflected in the proposed Local Law.
- The PB is not in favor of the proposed Local Law’s language, in Section 2(1B)(e)(2), that carves out an exception/special treatment for the BOCES property (i.e., “a lot in excess of four acres, and within 750 feet of a commercial Zoning District”), because it would import the uses and occupancies of the DMU-2 Zoning District into a TFR Zoning District.
- Also with respect to Section 2(1B)(e)(2), the PB is not in favor of the language that refers to a FAR restriction for the MFR-2 Zoning District, because there are no FAR regulations or restrictions prescribed in the Zoning Code for MFR Zoning Districts.

**WHEREAS**, there being no other SEQRA Involved Agency, as an additional part of this Resolution herein, if adopted on the Public Hearing date, the Village Board declares itself to be, and assumes the role of, SEQRA Lead Agency.

**WHEREAS**, the Village Board, after reviewing the Waterfront Assessment Form for Local Waterfront Revitalization Plan (LWRP) Consistency Review, prepared and recommended by the Village Planner, dated April 23, 2026, and after considering all of the discussion and analysis by the Village Board with respect to the documents referenced and considered by the Village Board at its Public Hearing held on the

Public Hearing date, and at any prior Public Hearings that were held open, and continued, to the Public Hearing date, the Village Board finds and determines that the proposed Local Law is consistent with the LWRP and the Village's Comprehensive Master Plan.

**WHEREAS**, the Village Board, acting in its capacity as the SEQRA Lead Agency, and after reviewing the aforementioned Part 1, Part 2 and Part 3 of the SEQRA SEAF, which SEQRA SEAF Parts 1 through 3 were all prepared and recommended, on behalf of the Village Board, by the Village Planner; the Village Board hereby adopts the said SEQRA SEAF Parts 1 through 3, and incorporates them by reference as if fully set forth herein.

**THEREFORE, BE IT RESOLVED**, that the Village Board, after conducting a hard look review of all environmental factors, including, but not limited to, all of the said SEQRA SEAF Parts 1 through 3, and the Village Planner's narrative Memo, hereby determines that there will be **no** potential significant adverse environmental impacts resulting from the Village Board's adoption of the proposed Local Law, and makes a Determination of Non-Significance under SEQRA, thereby determining and issuing a SEQRA Negative Declaration.

**BE IT FURTHER RESOLVED** that the Village Board finds that this Local Law will fulfill, or be a significant step toward achieving, its legislative intents and purposes.

**NOW, THEREFORE**, based on all of the documentation and information before the Village Board, and the findings and determinations made herein;

**BE IT RESOLVED** that the Village Board hereby adopts the Local Law in the form and substance as appended hereto as "ATTACHMENT A," and as same may have been amended "by-hand" during the Public Hearing.

**7.13 Resolution No. 2026-117 Resolution, of the Village Board of Trustees, to amend Chapter 360 (Zoning) of the Code of the Village of Nyack, so as to repeal Local Laws #2 and #7 of 2025, and to refer and defer to New York State's preemptive regulations and laws regarding proximity distances for cannabis dispensaries.**

At 7:30 PM, during a regular meeting of the Board of Trustees of the Village of Nyack ("Village"), convened on June 11, 2026 ("Public Hearing date"), the below-described Public Hearing was (i) opened, *or* (ii) was opened at, and continued from, a prior meeting (or meetings), *or* (iii) was opened at, continued from, and closed at, a prior meeting (or meetings); and the following Resolution was duly offered and seconded, to wit:

WHEREAS, the Village Board of Trustees ("Village Board") is the duly elected legislative body of the Village, and authorized to adopt Local Laws amending the Village Code, including amendments to the zoning regulations embodied in Chapter 360 (Zoning) of the Village Code ("Zoning Code"); and this Local Law is adopted pursuant to NYS Municipal Home Rule Law ("MHRL") §10; and in accordance with the procedures prescribed in MHRL §20, and NYS Village Law §7-706 and §21-2100.

WHEREAS, the Village Board has published a Notice of Public Hearing in the Journal News, digitally posted said Notice on the Village's website, and physically posted the Notice on the Village's official bulletin board, in accordance with MHRL §20, with regard to proposed text amendments to the Zoning Code, which amendments are described as follows.

The proposed Local Law, which is appended hereto, made a part hereof and marked as “ATTACHMENT B,” if adopted by the Village Board, will repeal, due to preemption by New York State (“State” or “NYS”) regulations and law, the Village’s Local Law No. 7 of 2025 adopted by the Village Board on 07/24/2025 (“LL #7-2025”), and repeal Local Law No. 2 of 2025 adopted by the Village Board on 05/08/2025 (“LL #2-2025”), both together referred to as “LLs 2 & 7 of 2025,” which had amended §360-3.2(B)(11)(c) of the Village’s Zoning Code in a manner intended to regulate proximity and distance provisions relating to cannabis dispensaries; which repeals are grounded, more specifically, upon the NYS Cannabis Control Board’s (“CCB”) recent Advisory Opinions #2025-03 dated 11/03/2025, #2025-02 dated 10/06/2025, and #2025-01 dated 10/06/2025 (all together referred to herein as “CCB Advisory Opinions”), which unequivocally reinforce the preemptive status of the State’s cannabis regulations and laws with respect to proximity and distance provisions relating to cannabis dispensaries.

In reliance upon, and consistent with, the CCB Advisory Opinions, and the State’s regulations and laws cited therein, the Village Board finds that (i) LLs 2 & 7 of 2025 are in contravention of the preemptive status of the State’s regulations and laws prescribing proximity and distance provisions for cannabis dispensaries; and (ii) keeping either LL #7-2025, or its predecessor LL #2-2025, may create inconsistency, uncertainty, and potential conflict, with the State’s preemptive cannabis proximity and distance regulations and laws, and may impair the well-defined administration of the Village’s Zoning Code relating to cannabis dispensaries.

The repeal of LLs 2 & 7 of 2025 shall remove, from the Zoning Code, the amendments and modifications made to Village Code §360-3.2(B)(11)(c) by LL #7-2025, and by its predecessor LL #2-2025, thereby conforming the Zoning Code to the State’s preemptive cannabis regulations and laws concerning proximity and distance provisions, as advised by the CCB Advisory Opinions; and this Local Law shall also clarify that the proximity and distance provisions for cannabis dispensaries shall be as prescribed in the State’s preemptive cannabis regulations and laws.

All of the foregoing shall hereinafter be referred to as “legislative intents and purposes.”

WHEREAS, copies of:

- (i). the proposed Local Law,
- (ii). the State Environmental Quality Review Act (“SEQRA”) Part 1 (Project Information) of the Short Environmental Assessment Form (“SEAF”), prepared, and signed, by Robert (“Bob”) Galvin, AICP, Village Planner (“Village Planner”), dated 04/06/2026, to which is appended the Village Planner’s narrative Memo dated 03/24/2026 (“narrative Memo”),
- (iii). Part 2 of the SEQRA SEAF (Impact Assessment), prepared and recommended by the Village Planner, dated 04/06/2026,
- (iv). Part 3 of the SEQRA SEAF (Determination of Significance), prepared and recommended by the Village Planner, dated 06/01/2026;

were all provided to the Village Board, in accordance with NYS Municipal Home Rule Law §20.

WHEREAS, following compliance with all public notice requirements as mandated by the applicable NYS statute(s) and the Village Code, and distribution of the proposed Local Law to the Village Board as per NYS Municipal Home Rule Law §20(4), on the Public Hearing date the Village Board (i) opened, *or*

(ii) previously opened at a prior meeting, and held open/continued, *or* (iii) previously opened and held open/continued, and closed, at a prior meeting (or meetings), a Public Hearing on the proposed Local Law.

WHEREAS, the Rockland County Planning Department, pursuant to NYS General Municipal Law (“GML”) §239-1, *et seq.*, reviewed the proposed Local Law and provided a GML review report to the Village Board, dated May 14, 2026 (“GML report”), which GML report remanded for local decision, and stated that the “proposed action is deemed to have no significant county-wide or inter-community impact under New York State General Municipal Law §239; therefore, the action is a local decision.”

WHEREAS, prior to the Public Hearing, the Village Board sought comments on the proposed Local Law from the Village Planning Board, as per Village Code §360-5.6(B)(3)(a); and the Planning Board reviewed the Local Law at its meeting held on May 4, 2026, and provided a written advisory opinion/recommendation to the Village Board stating that the “Planning Board would prefer that adult retail (recreational) cannabis dispensaries be limited to the Commercial Corridor (CC) Zoning District, which the Planning Board acknowledges would require a different and/or additional amendment to the Zoning Code;” and that the “Planning Board has no comment about the repeal of local laws #2 and #7 of 2025 and understands that our Village will defer to NYS OCM regulations regarding proximity.”

WHEREAS, there being no other SEQRA Involved Agency, as an additional part of this Resolution herein, if adopted on the Public Hearing date, the Village Board declares itself to be, and assumes the role of, SEQRA Lead Agency.

WHEREAS, the Village Board, after reviewing the Waterfront Assessment Form for Local Waterfront Revitalization Plan (LWRP) Consistency Review, prepared and recommended by the Village Planner, dated 03/24/2026, and after considering all of the discussion and analysis by the Village Board with respect to the documents referenced and considered by the Village Board at its Public Hearing held on the Public Hearing date, and at any prior Public Hearings that were held open, and continued, to the Public Hearing date, the Village Board finds and determines that the proposed Local Law is consistent with the LWRP and the Village’s Comprehensive Master Plan.

WHEREAS, the Village Board, acting in its capacity as the SEQRA Lead Agency, and after reviewing the aforementioned Part 1, Part 2 and Part 3 of the SEQRA SEAF, which SEQRA SEAF Parts 1 through 3 were all prepared and recommended, on behalf of the Village Board, by the Village Planner; the Village Board hereby adopts the said SEQRA SEAF Parts 1 through 3, and incorporates them by reference as if fully set forth herein.

THEREFORE, BE IT RESOLVED, that the Village Board, after conducting a hard look review of all environmental factors, including, but not limited to, all of the said SEQRA EAF Parts 1 through 3, and the Village Planner’s narrative Memo, hereby determines that there will be no potential significant adverse environmental impacts resulting from the Village Board’s adoption of the proposed Local Law, and makes a Determination of Non-Significance under SEQRA, thereby determining and issuing a SEQRA Negative Declaration.

BE IT FURTHER RESOLVED that the Village Board finds that this Local Law will fulfill, or be a significant step toward achieving, its legislative intents and purposes.

NOW, THEREFORE, based on all of the documentation and information before the Village Board, and the findings and determinations made herein;

BE IT RESOLVED that the Village Board hereby adopts the Local Law in the form and substance as

appended hereto as “ATTACHMENT B,” and as same may have been amended “by-hand” during the Public Hearing.

**7.14 Resolution No. 2026-118 Resolution of the Nyack Village Board Regarding Review and Disposition of Building Department Renewals Fees for 65 South Broadway**

WHEREAS, the property located at 65 South Broadway, currently owned by Daniel Kramer, contains several open building permits originally issued in the 1980s and 1990s; and

WHEREAS, the owner asserts that these open permits and associated renewal fees, totaling approximately \$6,000, were not disclosed in the municipal search conducted at the time of purchase; and

WHEREAS, the Mayor has reviewed information from the Village Attorney, Chief Building Inspector, and Village Administrator regarding practices for the identification of open permits during municipal searches, the responsibilities of prior owners, and the Village’s procedures for reporting such information; and

WHEREAS, the Village Board recognizes that it would be inequitable to impose renewal fees on a current property owner for open permits that predate their ownership when such permits and associated fees were not disclosed in the municipal search at the time of purchase; and

WHEREAS, the Village wishes to ensure a fair and consistent process for circumstances in which municipal searches may not have reported open permits or related fees;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Trustees hereby waives the building permit renewal fees associated with the open permits at 65 South Broadway to the extent that such open permits and associated fees were not disclosed in the municipal search conducted at the time of the current owner’s purchase, contingent upon verification by the Building Department.

2. The Building Department is directed to review its records to confirm whether a municipal search request was received, fulfilled, and what information was provided at the time of the purchase of 65 South Broadway.

3. If it is verified that the Village did not report the open permits during the purchaser’s municipal search, all renewal fees associated with pre-purchase permits at this property shall be waived.

4. If the Village’s records reflect that the open permits were properly disclosed during the municipal search, fees shall be assessed in accordance with Village Code.

5. The Village Administrator and Chief Building Inspector are directed to develop and provide to the Board recommendations for a consistent policy governing similar cases in the future.

**Juneteenth???**

**8 Department Reports to the Village Board of Trustees (based on availability).**

- 8.1 – Orangetown Police Department
- 8.2 – Village Administrator
- 8.3 – Village Clerk

## **9 Old Business**

9.1 6/25/26 BOT meeting will be at Nyack Senior Center

9.2 Park permit fee policy memo

## **10 New Business**

**10.1** Youth Recreation Program funding

## **11 Communications**

11.1 Bill Batson, asking for commemorative “Jerry Koblin Way” sign to be placed on Main St/Park Street sign post.

11.2 Stacey Scott, Memorial park permit app, Saturday, 7/18, 3-4 PM, gazebo, wedding photos

11.3 Jonnathan Zumba, Memorial park permit app, Friday, 7/17, 3-5 PM, gazebo, family quinceanera photos

11.4 Tamarie Profita, Memorial park permit app, Thursday, June 18, 5-9 PM, birthday party (raindate 6/24) (Resolution?)

## **12 Public Comment**

## **13 Executive Session**

## **14 Adjournment**