



# Village Of Nyack

Incorporated February 27, 1883



**Asst Building Inspector**

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**BUILDING DEPARTMENT**

**9 North Broadway**

**Nyack, New York 1096-2697**

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**MANNY A. CARMONA**

**Chief Building Inspector**

## PLANNING BOARD REVIEW APPLICATION

☒ Disapproved Permit Appl. ☒ Formal Application ☐ Pre-application Meeting (pursuant to §360-5.4A)

**Project Street Address:** 10 North Broadway Nyack NY 10960

**Application Date:** July 29, 2025

**Project Name:** Supreme Leafs, LLC adult use cannabis dispensary

**Tax Map Designation:** Section 3 Block 134 Lot 1344.22/1 **Property Classification:** Commercial

**Project Location:** On the West side of North Broadway approximately, 200 feet from the intersection of Main Street and North Broadway in the Village of Nyack.

**Acreage of Parcel** 0.04 **Zoning District** DMU-1

**Area of Disturbance** 0 **SWPPP:** ☐ Yes ☒ NO **Wetlands:** ☐ Yes ☒ NO

**Floodplains:** ☐ Yes ☒ NO **Natural Drainageways:** ☐ Yes ☒ NO **Slope > 25%:** ☐ Yes ☒ NO

**View Protection Overlay District:** ☐ Yes ☒ NO

**Water District** NYACK WATER DEPARTMENT

**Sewer District** ORANGETOWN ENV. MGT. -ENGINEERING

**Project Description:** (please attach a narrative summary). special permit for an adult-use retail cannabis dispensary.

### CONTACT INFORMATION

	NAME/ADDRESS	PHONE #/ E-MAIL	LICENSE #
Applicant <u>Anja Biju</u>	<u>4 OVERLOOK RD - NEW CITY NY 10956</u>	<u>914-447-1027</u>	<u>OCMRETL-2023-002115</u>
Property Owner	<u>Tiger10, LLC 945 William Street Pearl River NY.</u>	<u>203-283-9397</u>	
Architect	<u>Mark Blach 10 Crescent Ave Rocky Hill NJ 08553</u>	<u>609-683-4032</u>	<u>037441-01</u>
<input type="checkbox"/> P.E. <input type="checkbox"/> P.L.S.			
Landscape R.A.			

Your application is hereby disapproved by the Chief Building Inspector and referred before the Planning Board for review, approval, approval with modifications or disapproval to be issued a permit by the Chief Building Inspector.

**§360-5.4B. Application Submittal. (5) Fees and Costs.**

☒ **Commercial \$400** Receipt #/Date # 02161 / 7/30/25 ☐ **Escrow: \$** \_\_\_\_\_

☒ **Legal Notice \$150** Receipt #/Date # 02161 / 7/30/25

**(b) Recovery of consultant costs.** In addition to the development fee, an applicant shall pay all costs billed by the Village for expenses incurred in review of an application, including fees from consultants hired to assist in the review. Escrow funds may be required, at the discretion of the Chief Building Inspector.

**(c) Outstanding fees and costs.** All fees and costs shall be paid by the applicant prior to scheduling of hearings and/or meetings for any development application. No new applications shall be accepted by the Village until all previous fees and costs associated with an applicant are paid in full by the applicant.

**(6) Outstanding municipal violations.** Applications for review and approval of any project shall not be deemed complete while there are outstanding municipal violations pending against the owner, owner's agent, or other entity making such application, where such municipal violations are outstanding against all or part of the premises which is the subject of the application.

☒ **No Violations** ☐ **Violations Pending (see attached)**

**§360-5.4C. Determination of application completeness.** After receipt **one set** of complete submittal of the development application, the Chief Building Inspector shall determine whether the application is complete and ready for review.

**(1)** If the application is determined to be complete, the applicant will be notified of the additional number of copies required to be submitted for the application to then be processed according to the procedures set forth in this code. An application will be considered complete if it is submitted in the required form, includes all required information and supporting materials, and is accompanied by the applicable fee. The determination of completeness shall not be based upon the perceived merits of the development proposal.

**(2)** If an application is determined to be incomplete, the Chief Building Inspector shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected in a future resubmittal. The inclusion of false information in an application is grounds for determination that the application is incomplete.

§ 360-5.2A(2) Decision-making body pursuant to § 7-718 of the Village Law of the State of New York.

☒ (h) **SEQRA** - State Environmental Quality Review Act pursuant to state law and regulation.

☐ (i) Referral to the ☐ **Board of Trustees** ☐ **Zoning Board of Appeals** ☐ **Architectural Review Board** when required by the provisions of this article or when, in the opinion of the Board, such referral is necessary to fully evaluate the impacts and benefits of a development application.

☐ (j) Upon the granting of an approval, to impose such reasonable conditions and restrictions as are intended to promote the objectives of the State Environmental Quality Review Act, the Comprehensive Plan, the Local Waterfront Revitalization Program, or other relevant law or officially adopted local or regional plan, and are directly related to and incidental to the proposed use of the property.

**Conditions:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ (k) To retain ☐ **Counsel** ☐ **Clerks** ☐ **Secretary** ☐ **Engineers** ☐ **Architects**

☐ **Landscape Architects** ☐ **Historic Preservationists** ☐ **Planners** ☐ **Other** \_\_\_\_\_  
to assist the Board in the conduct of its official business.

■ **Special permit uses**, as identified by Table 3-1 of this chapter. Pursuant to **§ 360-5.9**.

#### **§ 360-5.9 Special use permits.**

**A. Purpose and applicability.** This section provides for the review and approval of **special permit** uses, as identified by Table 3-1 of this chapter, by the Planning Board. Such uses typically have unique or widely varying operating characteristics or unusual site development features. While they may be appropriate in a given zoning district, the procedure below encourages public review and evaluation of the specific characteristics of the proposed use and the site in order to assure that **proposed special permit uses** are in harmony with this chapter and will not adversely affect the surrounding neighborhood or the community at large

#### **B. Procedure.**

☒ (1) Step one: Application submittal. Applicable.

☒ (2) Step two: Determination of application completeness. Applicable.

☒ (3) Step three: Application referral, review and staff report.

(a) If an application for a special permit is within 500 feet of any area described below, it shall be referred to the Rockland County Planning Board in accordance with §§ 239-l and 239-m of the General Municipal Law:

☐ [1] The boundary of any other municipality (also requires referral to adjoining municipality). N/A

☐ [2] The boundary of any existing or proposed county or state park or other recreation area. N/A

☐ [3] The right-of-way of any existing or proposed county or state road, parkway or other controlled access highway. N/A

☐ [4] The existing or proposed right-of-way of any stream or drainage channel owned by the county for which the county has established channel lines. N/A

☐ [5] The existing or proposed boundary of any county- or state-owned land on which a public building or institution is located. N/A

☐ (b) The Rockland County Planning Board shall review the matter and report its approval, disapproval or recommended modifications within 30 days after receipt of a full statement of the proposed action. N/A

☒ (4) Step four: Public notice. Applicable as set forth in § 360-5.4E, Table 5-2.

☒ (5) Step five: Public hearing. Applicable, with the following addition: Planning Board must render a decision on the special permit application within 62 days following the close of said hearing.

☐ (6) Step six: Decision and findings. Applicable, with the following addition: The Planning Board may require that special permits be periodically renewed. Such renewal shall be granted following due public notice and hearing consistent with the procedures of this section. Renewal may be withheld only upon a determination by the Building Inspector that such conditions as may have been prescribed by the Board in conjunction with the issuance of the original permit have not been or are no longer being complied with. In such cases, a period of 60 days shall be granted the applicant for full compliance prior to the revocation of said permit.

Special Permit to be periodically renewed: ☐ Yes \_\_\_\_\_

☐ NO

**C. Criteria.** In authorizing the issuance of a **special permit**, the Planning Board shall take into consideration the public health, safety and welfare and shall prescribe appropriate conditions and safeguards to ensure the accomplishment of the following objectives:

(1) That all proposed structures, equipment and material shall be readily accessible for fire and police protection.

☒ **Compliant**

☐ **Not Compliant**

(2) That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

☒ **Compliant**

☐ **Not Compliant**

(3) That, in the case of any use located in or directly adjacent to a residential district: *N/A*

(a) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to or incongruous with said residential district or conflict with the normal traffic of the neighborhood.

(b) The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

(4) That the application is consistent with any additional use-specific standards required by Article III of this chapter.

### **§ 360-3.2 Use-specific standards.**

Regardless of whether a use is permitted by right, as a special permit use, or as an accessory use, and regardless of the zoning district in which the use is located, the following additional standards must be met in respect of the uses identified, except as authorized by other sections of this chapter. Conformance with these standards will be determined during the application review by the final decisionmaking body.

#### **B. Commercial uses.**

##### **(11) Adult-use retail dispensary.**

(a) An adult-use retail dispensary shall be allowed in the Corridor Commercial (CC) District with frontage along an arterial road as defined by the NYSDOT, and in the Downtown Mixed

Use - 1 (DMU-1) District with frontage along Main Street, North and South Broadway, and South Franklin Street, subject to a special permit from the Planning Board being issued for siting any adult-use retail dispensary.

☒ **Compliant**                      ☐ **Not Compliant**

(b) The applicant shall submit proof of licensure by the permitting authority.

☒ **Compliant**                      ☐ **Not Compliant**

(c) No building or structure associated with an adult-use retail dispensary shall be located within 500 feet of any school property (including any property owned or leased by a public-school board), or within 200 feet of a house of worship.

☒ **Compliant**                      ☐ **Not Compliant**

(d) All adult-use retail dispensaries shall limit their hours of operation from 8:00 a.m. to 10:00 p.m., Monday through Saturday.

*Mon through THUR - 11 to 9, Friday 11 to 10, SAT - 11 to 10, SUND - 12 to 8*

Days: ☒ M ☒ T ☒ W ☒ TH ☒ F ☒ S ☒ S Hours: \_\_\_\_\_ to \_\_\_\_\_

(e) Any adult-use retail dispensary must be located in a permanent, enclosed building, and shall not include a drive-up use. Siting of an adult-use retail dispensary must also comply with any limitations as to location set forth in New York State law governing the same.

☒ **Compliant**                      ☐ **Not Compliant**

(f) Marijuana plants, products, accessories, and associated paraphernalia shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. On-site storage of usable marijuana shall be secured in compliance with applicable federal, state and local laws and regulations.

☒ **Compliant**                      ☐ **Not Compliant**

(g) The adult-use retail dispensary must provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the business' exterior refuse containers.

Form of Disposal will comply ☒ **Compliant**    ☐ **Not Compliant**    ☐ **N/A**

(h) The adult-use retail dispensary shall be ventilated so that the odor of marijuana cannot be detected by a person with a normal sense of smell at the exterior of the recreational marijuana business or at any adjoining use or property.

Type of ventilation will comply ☒ **Compliant**    ☐ **Not Compliant**    ☐ **N/A**



(i) The premises shall have in operation a security system approved by the Clarkstown Police Department, including alarms and surveillance cameras designed to notify law enforcement officers that a crime or disorderly person's activity is in progress. The management of the retail dispensary must maintain camera surveillance data backup and retain such data for a minimum of 60 days.

☒ **Compliant**    ☐ **Not Compliant**

(j) The Police Department shall be provided the name and phone number of a contact person to notify regarding suspicious activity during or after operating hours. A burglarproof drop safe that regulates an employee's access to cash shall be used on the premises.

☒ **Compliant**    ☐ **Not Compliant**

(k) The exterior portion of an adult-use retail dispensary including parking areas, shall be well lit during business hours. Said lighting shall be designed so as to not unduly interfere with any neighbor's reasonable use and/or enjoyment of the property and shall comply with the Village of Nyack's lighting standards per § 360-4.10.

☒ **Compliant**    ☐ **Not Compliant**

*no adjacent parking Area.*

(l) Smoking, as defined in § 1399-N Subdivision 8 and 9 of the New York State Public Health Law (including but not limited to smoking cannabis and vaping), shall be prohibited within 50 feet of the exterior boundary of the lot on which a retail dispensary is located.

*Any smoking will occur on public street subject to police enforcement*

☒ **Compliant Method**    ☐ **Not Compliant**

**Application's conformance:** This application conforms to the Local Zoning and Planning Law of the Village of Nyack. Applicant is seeking special permit approval to conduct Cannabis Adult-use retail dispensary operations at the proposed address.

**Shall provide the following documents:**

■ Color photographs of all buildings and structure on the lot and on adjacent properties.

■ Site plan in compliance with all the above requirements.

■ Architectural plans in compliance with all the above requirements.

■ Copy of NYS Adult-Use Retail Dispensary License.

■ Affidavit that the proposed use and applicant are authorized by the property Owner, if owner is not the applicant.

**§ 360-50.2E(3)(c). Posted notice.** The applicant shall post notice on the property at least 10 days before the scheduled hearing date. Such notice shall be of a dimension, design and materials as required by the Building Inspector. Notice shall be posted every 20 feet along the front yard, and one additional notice shall be posted conspicuously on each side yard and rear yard property line.

Notice was posted on: \_\_\_\_\_

*Manny A. Carmona*  
Applicant Name/Signature

07-30-2025  
Date

Date application e-mailed to applicant: 07-24-2025

Date application received by the Bldg. Dept: 7/30/2025

Date application is determined to be complete: 8/14/2025

Date of Planning Board meeting: 9/08/2025

PUBLIC COMMENTS: ☐ Opened \_\_\_\_\_ ☐ Closed \_\_\_\_\_  
Date Date

☐ APPROVED: \_\_\_\_\_ to \_\_\_\_\_  
Date Vote Vote

REFERED: ☐ PB ☐ ZBA ☐ NO

☐ DISAPPROVED: \_\_\_\_\_ to \_\_\_\_\_  
Date Vote Vote

FOR THE FOLLOWING REASONS: \_\_\_\_\_

MANNY A. CARMONA  
Chief Building Inspector