

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

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 Vehicels 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	Falure 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	Offical 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				
			Page 4 of			
Parking Au	250-3	Boat launch permit fees \$50/day - 24 hr launch permit	\$50	\$110	\$160	Increase initial launch/trailer parking fee from \$25 to \$50, increases fines by \$10 each
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 Taramarie 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

ATTACHMENT B

**LOCAL LAW NO. _____ OF 2026,
AMENDING 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
(DRAFT 02/24/2026)**

Be it enacted by the Board of Trustees of the Village of Nyack as follows:

Section 1 - Legislative Authority, Purpose and Intent:

The purpose and intent of this Local Law is to repeal, due to preemption by New York State ("State" or "NYS") regulations and law, the Village of Nyack's ("Village") Local Law No. 7 of 2025 adopted by the Village Board of Trustees on 07/24/2025 ("LL #7-2025"), and to repeal Local Law No. 2 of 2025 adopted by the Village Board of Trustees 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 (Chapter 360 of the Village 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 of Trustees 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 Village's 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 Village's 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.

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.

Section 2 – Repeal of Local Law No. 7 of 2025 adopted by the Village Board of Trustees on 07/24/2025, and repeal of Local Law No. 2 of 2025 adopted by the Village Board of Trustees on 05/08/2025:

Upon the Effective Date of this Local Law, (i) both Local Law No. 7 of 2025 adopted by the Village Board of Trustees on 07/24/2025 (“LL #7-2025”), and Local Law No. 2 of 2025 adopted by the Village Board of Trustees on 05/08/2025 (“LL #2-2025”), are hereby repealed in their entirety, and shall be of no further force or effect within the Village of Nyack (“Village”); (ii) Village Code §360-3.2(B)(11)(c) shall be applied, read, construed, interpreted, administered and enforced as if LL #7-2025 and LL #2-2025 had never been adopted, and any text added, deleted or modified by LL #7-2025 and LL #2-2025 is hereby rescinded to the extent necessary to implement the repeals set forth in this Section 2 of this Local Law; and (iii) Village Code §360-3.2(B)(11)(c) shall be applied, read, construed, interpreted, administered and enforced as set forth in the following Section 3 of this Local Law.

Section 3 – Sub-Sub-Paragraph “c,” of Sub-Paragraph “11” (Adult-use retail dispensary), of Paragraph “B” (Commercial uses), of §360-3.2 (Use-specific standards), of Chapter 360 (Zoning), of the Code of the Village of Nyack is amended to read as follows:

The proximity and distance regulations and laws pertaining to an adult-use retail dispensary, as defined in §3(46), §3(47) and §72 of the Cannabis Law of the State of New York (“NYS Cannabis Law”), which type of dispensary is sometimes commonly referred to as a recreational dispensary, shall be implemented, administered, governed and enforced as prescribed in Part 119, of Chapter II (Rules of the Office of Cannabis Management), of Subtitle B (Division of Alcoholic Beverage Control), of Title 9 (Executive Department), of the New York Codes, Rules and Regulations (NYCRR), and NYS Cannabis Law §72, as applicable, and as same may be amended from time.

Section 4 – Severability.

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Village Board of Trustees hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

Section 5 – Effective Date.

This Local Law shall take effect immediately upon the filing of a copy with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Village Board of Trustees of the Village of Nyack			
Name of Action or Project:			
Repeals of Local Law #2, and Local #7, of 2025; Zoning Code amendments re. Use-specific Standards for Adult-Use Retail Dispensaries.			
Project Location (describe, and attach a location map):			
Village of Nyack Zoning Districts DMU-1, DMU-2 and CC.			
Brief Description of Proposed Action:			
<p>This proposed Local Law ("LL") will repeal, due to State preemption, Village of Nyack LL #7 of 2025 adopted by the Village Board of Trustees ("BOT") on 7/24/2025 ("LL #7-2025"), and repeal LL #2 of 2025 adopted by the BOT on 5/8/2025 ("LL #2-2025"), both LLs together referred to herein as "LLs 2 & 7 of 2025," which LLs 2 & 7 of 2025 had amended Zoning Code 360-3.2(B)(11)(c) so as to regulate proximity provisions relating to cannabis dispensaries; which repeals of LLs 2 & 7 of 2025 is grounded upon the NYS Cannabis Control Board's ("CCB") Advisory Opinions #2025-03, #2025-02 and #2025-01, which CCB Advisory Opinions emphasize the preemptive status of the State's cannabis laws regarding proximity provisions for cannabis dispensaries. In reliance upon, and consistent with, the said CCB Advisory Opinions, and the State regulations cited therein, the BOT deems LLs 2 & 7 of 2025 to be in contravention of these preemptive State laws, and that 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 regulations, and may impair the well-defined administration of the Zoning Code relating to cannabis dispensaries. The repeal of LLs 2 & 7 of 2025 will remove the Zoning Code amendments made to 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 laws, as advised by the CCB Advisory Opinions; and this proposed LL will also clarify that the proximity provisions for cannabis dispensaries shall be as prescribed in the preemptive cannabis regulations of the State.</p>			
Name of Applicant or Sponsor:		Telephone: 845-358-4249	
Village Board of Trustees of the Village of Nyack		E-Mail: marketstat@aol.com	
Address:			
Village Hall, 9 North Broadway, Nyack, NY 10960			
City/PO:		State:	Zip Code:
Nyack		NY	10960-2697
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Robert Galvin, AICP
ROBERT GALVIN, AICP

Project: **Repeal of LL Cannabis**

Date: **6/1/26**

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed Local Law will repeal both previous local laws #2 & 7 of 2025 due to NYS preemption. These Local Laws amended the zoning code regulations for proximity provisions relating to cannabis dispensaries. The proposed LL is grounded on NYS Advisory opinions. The new LL is intended to amend the zoning code to refer/defer to NYS's preemptive regulations regarding proximity/distance for adult-use cannabis dispensaries. The BOT has determined that the previous 2025 laws are in contravention of the NYS distance regulations and could create uncertainty and potential conflict. The repeal will conform the Zoning Code to the State's preemptive cannabis laws and clarify the distance provisions for dispensaries. The proposed zoning amendment makes one central change. It removes any minimum-distance requirement for medical dispensaries. The minimum distance relating to medical dispensaries ceased to be a requirement after December 2023. Adult-use dispensaries still must comply with distance requirements of 2000 ft and 500 ft from schools and 200 ft from houses of worship.

There are only two existing adult dispensaries in the Village. One is in the CC Zone along Rte.59. The other is a 1,742 sf adult dispensary that is under construction at 10 N. Broadway across from Village Hall. There was a medical dispensary at 80 Main St (the former Starbucks) which did not proceed and another adult dispensary at 163 Main (aka Commercial Kitchen) which did not receive an OCM license. The proposed legislation is consistent with the Village's Comp. Plan. It enhances the Village's economic activity and provides services for local residents. It updates the zoning code to comply with OCM State regulations and reduces potential confusion. There is no impact on land since the downtown is already developed and buildings are typically small with less than 4,000 sf. and fit into the downtown. Impacts on odors, smoking, noise and lighting are addressed by user standards for dispensaries. Historic structures would be reviewed by OCM, SHPO and Village Code. There are no impacts on open space, wetlands, or other environmental impacts since potential dispensaries have been existing retail buildings in the downtown area.

Based on the BOT's review of the EAF, the Village Planner's Narrative, and County Planning's GML review of local determination, the proposed action is not expected to result in any significant adverse environmental impacts that would rise to the level of significance required for a Positive Declaration.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Nyack Board of Trustees <hr/> Name of Lead Agency Joseph Rand <hr/> Print or Type Name of Responsible Officer in Lead Agency <hr/> Signature of Responsible Officer in Lead Agency	6/11/26 <hr/> Date Mayor <hr/> Title of Responsible Officer Robert Galvin, AICP - Village Planner <hr/> Signature of Preparer (if different from Responsible Officer)
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PRINT FORM

Village of Nyack Waterfront Assessment Form

A. INSTRUCTIONS

1. Applicants, or, in the case of direct actions, Village agencies, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the approved Village of Nyack Local Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Village of Nyack Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the office of the Village Clerk. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront revitalization area (WRA) and its consistency with the policy standards.
3. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Describe nature and extent of action:

 This proposed Local Law ("LL") will repeal, due to State preemption, Village LL #7 of 2025 adopted by the Village Board of Trustees ("BOT") on 7/24/25 ("LL#7-2025"), and LL#2 of 2025 adopted by the BOT on 5/8/2025 ("#2-2025"), both LLs together referred to herein as "LLs 2 & 7 of 2025, which LLs 2&7 -2025 had amended Zoning Code 360-3.2(B)(11)(c) so as to regulate proximity provisions relating to cannabis dispensaries; which repeals of LLs 2 & 7 - 2025 is grounded upon the NYS Cannabis Control Board's ("CCB") Advisory Opinions #2025-03, #2025-02 and #2025-01, which CCB Advisory Opinions emphasize the preemptive status of the State's cannabis laws regarding proximity provisions for cannabis dispensaries. In reliance upon, and consistent with, the said CCB Advisory Opinions, and the State regulations cited therein, the BOT deems LLs 2 & 7 - 2025 to be in contravention of these preemptive State laws, and that keeping either LL#7-2025, or its predecessor LL#2-2025 may create inconsistency, uncertainty, and potential conflict, with the preemptive cannabis proximity regulations, and may impair the well-defined administration of the Zoning Code relating to cannabis dispensaries. The repeal of LLs 2&7 - 2025 will remove the Zoning Code amendments made to 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 laws and clarify the distance provisions for cannabis dispensaries.

Type of Village agency action (check appropriate response):

a. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

 X Village Board of Trustees _____

b. _____

c. ___ approval of Text amendments _____

d. _____

e. Financial assistance (e.g. grant, loan, subsidy)

f. Permit, approval, license, certification

g. Agency undertaking action:

Village Board of Trustees _____

3. If an application for the proposed action has been filed with a Village, the following information shall be provided:

a. Name of applicant

b. Mailing address:

___9 North Broadway, Nyack NY 10960 _____

c. Telephone number:

(845) 358 - 4249 _____

d. Property tax number: _____

e. Application number, if any:

4. Will the action be directly undertaken, require funding, or approval by a State or federal agency?

Yes _____ No X

If yes, which State or federal agency? _____

5. Location of action (Street or Site Description and nearest intersection):

___ Text Amendments: DMU-1, DMU-2 and CC zones

6. Size of site (acres): _____

7. Amount (acres) of site to be disturbed: _____

8. Present land use: _____

9. Present zoning classification: _____

10. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): _____

11. Percentage of site that contains slopes of 15% or greater: NA

12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name NA

(b) Size (in acres) _____

13. Is the property serviced by public water? Yes _____ No _____

14. Is the property serviced by public sewer? Yes _____ No _____

C. WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

	<u>YES</u>	<u>NO</u>
1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the WRA (as identified in the LWRP)?	___	<u>x</u>
(a) Significant fish or wildlife habitats?	___	<u>x</u>
(b) Scenic resources of local or State-wide significance?	___	<u>x</u>
(c) Important agricultural lands?	___	<u>x</u>
(d) Natural protective features in a waterfront erosion hazard area	___	<u>x</u>
(e) Designated State or federal freshwater wetlands?	___	<u>x</u>
(f) Commercial or recreational use of fish and wildlife resources?	___	<u>x</u>

- | | | |
|---|--------------------------|-------------------------------------|
| (g) Existing or potential public recreation opportunities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) Structures, sites or districts of historic, archaeological or cultural significance to the Village State or nation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) Land or water uses within a small harbor area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (j) Stability of the shoreline? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (k) Surface or groundwater quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <u>YES</u> | <u>NO</u> |
| 2. Will the proposed action involve or result in any of the following: | | |
| (a) Physical alteration of land along the shoreline, underwater land or surface waters? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the waterfront area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) Mining, excavation, filling or dredging in surface waters? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (f) Reduction of existing or potential public access to, or along, the shoreline? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) Sale or change in use of publicly owned lands located on the shoreline or underwater? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) Development within a designated flood or erosion hazard area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (j) Construction or reconstruction of erosion protective structures? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (k) Diminished or degraded surface or groundwater quantity and/or quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (l) Removal of ground cover from the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	<u>YES</u>	<u>NO</u>
3. PROJECT		
(a) If the project is to be located adjacent to shore: NA		
(1) Does the project require a waterfront location?	—	—
(2) Will water-related recreation be provided?	—	—
(3) Will public access to the foreshore be provided?	—	—
(4) Will it eliminate or replace a water-dependent use?	—	—
(5) Will it eliminate or replace a recreational or maritime use or resource?	—	—
(b) Is the project site presently used by the community or neighborhood as an open space or recreation area?	—	—
(c) Will the project protect, maintain and/or increase the level and types or public access to water- related recreation resources or facilities?	—	—
(d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	—	—
(e) Is the project site presently used for commercial or recreational fishing or fish processing?	—	—
(f) Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	—	—
(g) Is the project located in a flood prone area?	—	—
(h) Is the project located in an area of high erosion?	—	—
(i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	—	—
(j) Do essential public services or facilities presently exist at or near the site?	—	—
(k) Will the project involve surface or subsurface liquid waste disposal?	—	—
(l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	—	—
(m) Will the project involve shipment or storage of		

- petroleum products? ___ ___
- (n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into WRA waters? ___ ___
- (o) Will the project involve or change existing ice management practices? ___ ___
- (p) Will the project alter drainage flow, patterns or surface water runoff on or from the site? ___ ___
- (q) Will best management practices be utilized to control storm water runoff into WRA waters? ___ ___
- (r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates? ___ ___
- (s) Will the project involve any waste discharges into WRA waters? ___ ___

D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"

(Add any additional sheets necessary)

___ None _____

If you require assistance or further information in order to complete this form, please contact the Village Code Enforcement Office.

Please submit completed form, along with one copy of a site/sketch plan to:

Nyack Village Hall, 9 North Broadway, Nyack, NY 10960

Preparer's Name (Please print): ___ Robert Galvin, AICP _____

Affiliation: ___ Village Planner _____

Telephone Number: (_845_) _358-4249 _____

Date: _3/24/2026 _____

Memo

To: Village Attorney, Village Administrator, Building Inspector

From: Bob Galvin, AICP Village Planner

Date: 3/24/26

Re: Narrative Repeal of Local Laws 2 & 7 of 2025: Zoning Code Amendments:
Use-Specific Standards for Adult-Use Retail Dispensaries

NYS Cannabis Control Board Advisory Opinions #2025-01, #2025-02 and #2025-03

The proposed Local Law will repeal the previous Village Local Law LL # 7 of 2025 and Local Law # 2 of 2025 adopted by the Village Board of Trustees in 2025, due to NYS preemption. The proposed Local Law ("LL") will repeal both previous local laws 2 & 7 of 2025 which had amended Zoning Code 360-3.2(B)(11)(c) regulations for proximity provisions relating to cannabis dispensaries. The proposed Local Law is grounded upon the NYS Cannabis Control Board's ("CCB") Advisory Opinions #2025-03, #2025-02 and #2025-01. The new Local Law is intended to amend the zoning code to refer/defer to New York State's preemptive regulations regarding proximity/distance for adult-use cannabis dispensaries. The BOT has determined that the previous Local Laws #2 and 7 of 2025 are in contravention of the NYS preemptive distance regulations and could create uncertainty and potential conflict. The repeal of the previous Local Laws would conform the Village's Zoning Code to the State's preemptive cannabis laws and clarify the distance provisions for cannabis dispensaries.

Proposed Legislative Changes

The proposed zoning amendment makes one central change: it removes any minimum-distance requirement for medical cannabis dispensaries in the Village of Nyack, because New York State law no longer allows municipalities to impose such restrictions. Two key lines from the document make this explicit:

"The minimum distance proscription, relating to medical dispensaries, ceased to be a requirement after December of 2023 and is no longer in effect."

“Therefore, the aforesaid 2,000’ minimum distance restriction... to the extent applied to medical dispensaries, is preempted by NYS law, and, therefore, unenforceable by the Village.”

Because state law preempts local regulation in this area, the Village’s zoning code must be updated to reflect that medical dispensaries cannot be subject to distance spacing rules, even though adult-use (recreational) dispensaries still must comply with distance requirements from:

- other adult-use dispensaries (2,000 ft)
- schools (500 ft)
- houses of worship (200 ft)

The amendment simply aligns local law with New York State law and ensures the Village enforces only the distance rules that remain legally valid.

Municipalities retain only a **limited** ability to regulate adult-use retail dispensaries, and that authority is confined to **time, place, and manner (TPM)** restrictions. Crucially, TPM rules cannot intrude into areas reserved for the state, such as licensing, operational standards, or business viability. The Cannabis Control Board (CCB) has been explicit: **local laws that go beyond TPM, frustrate state policy, or discriminate against state-licensed cannabis businesses are preempted**. In other words, Nyack can shape *the operating conditions such as hours of operation (8 – 10)*. *The remainder of the conditions in the zoning user standards reflect the OCM requirements*. The Village zoning code does not require parking requirements for commercial uses in the DMU-1 and DMU-2 zones.

Dispensary Locations

The Village of Nyack opted into OCM’s cannabis program allowing recreational dispensaries in the CC commercial zone along Route 59 and DMU-1 and DMU-2 in the downtown district. There is one existing 3,861-sf adult dispensary in the CC zone. There is an approved 1,742-sf dispensary under construction at 10 North Broadway opposite Village Hall. There was an approved medical dispensary at 80 Main Street in a former 3,795-sf Starbucks. This is just around the corner from 10 North Broadway. This applicant’s OCM license for the medical dispensary did not proceed. The other recreational dispensary was at 163 Main Street (aka Commercial Kitchen) just above Franklin Avenue in the DMU-1 zone. Applicant did not receive an OCM license.

Environmental Impacts

The purpose and intent of the proposed legislation is consistent with the Village’s Comprehensive Plan. It will enhance the economic viability of the Village’s downtown and provide services for local residents. It updates the zoning code to comply with OCM New York State law and reduce any potential confusion or conflicts. There will be no impact on land since the downtown is already

developed and potential dispensaries are typically small and less than 4,000-sf and fit into the streetscape of the downtown. There are no impacts on Nyack Brook or the waterfront. Any dispensaries would not require new water supply wells or water demand. Impacts on odors, smoking, noise and lighting are addressed by the user standards for dispensaries and Village Code. Historic and archeological structures would be reviewed by OCM, NYS SHPO and Village code. There are no impacts on open space, wetlands, shorelines or other environmental impacts since potential dispensaries have been existing retail buildings in the downtown. There is one dispensary on Route 59 in the CC zone but the OCM distance buffer limits expansion in this area.

ATTACHMENT A

**LOCAL LAW NO. _____ OF 2026, AMENDING
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
(04/09/2026 DRAFT)**

Be it enacted by the Board of Trustees of the Village of Nyack as follows:

Section 1 - Legislative Authority, Purpose and Intent:

This Local Law is adopted pursuant to New York State (“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. The purpose and intent of this Local Law 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 of Nyack (“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.

Section 2 – Paragraph “A” (Residential), of §360-3.2 (Use-specific standards) of Article III (Use Regulations), of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended to the extent only of adding a new Sub-Paragraph “1B,” which new Sub-Paragraph “1B” shall read as follows:

(1B) Adaptive Reuse of Religious and/or Educational Buildings.

- (a) Special Use Permit Authority. The Village Board of Trustees (“BOT”) may grant a special use permit, subject to, and in accordance with, the provisions set forth in this sub-paragraph 1B, to allow a multi-family housing use of an eligible building, irrespective of whether such multi-family housing use is

allowed or not in the applicable Zoning District; and such adaptive reuse of an existing building may occur within its existing footprint irrespective of whether the existing footprint is dimensionally non-conforming (“Adaptive Reuse”). As part of the special use permit, the BOT may modify the Dimensional Standards (Table 4-1) of the Village’s Zoning Code, so long as the BOT determines that each modification is necessary to preserve the building and to allow its Adaptive Reuse; which grant of a special use permit shall also require site development plan approval by the Planning Board. This special use permit authority, granted to the BOT, shall be in lieu of, rather than in addition to, the Zoning Board of Appeals’s special use permit authority relating to schools, educational facilities, houses of worship and places of religious instruction in residential and Office Mixed Use (OMU) Zoning Districts.

- (b) **Eligible Building.** An eligible building shall mean any building sited on a lot of less than four acres in size, except as prescribed in §360-3.2(A)(1B)(e)[2] below, and which building is used and occupied, or if vacant or abandoned has most recently been used and occupied, as a school, educational facility, house of worship, place of religious instruction, or a religious convent or monastery, and which building was originally constructed for said type(s) of religious and/or educational use and occupancy (“eligible use”); and which building (i) has a subsisting Certificate of Occupancy (“CO”) that permits the use and occupancy of the building as an eligible use, or (ii) although lacking a CO for an eligible use, is a legal nonconforming use for an eligible use, or (iii) is vacant or abandoned, but its last most recent CO was for an eligible use, or, if it lacked such a CO, then its last most recent legal nonconforming use was for an eligible use.
- (c) **Exterior Alterations.** As a condition of the special use permit, the applicant shall continue to retain, unchanged, the existing eligible building’s exterior architecture, except for minor changes essential to accommodate necessary appurtenances; or shall demonstrate, to the satisfaction of the BOT, that all proposed exterior alterations are generally consistent with the existing eligible building’s architecture, style and design, and with the neighborhood in which it is located.
- (d) **Parking.** As part of the special use permit authority of the BOT, the BOT may modify the Zoning Code’s accessory off-street parking requirements based on the applicant’s information regarding the parking impact of the proposed Adaptive Reuse project; and/or parking may be provided on another privately owned lot (or lots) within 500 feet of the entrance to the building subject of the application, subject to the BOT’s approval of any legal instruments, including the recording of same in the Rockland County Clerk’s Office, that the BOT may require to memorialize said off-site private parking.

- (e) Restrictions on Uses, and Floor Area Ratio, in Particular Zoning Districts. For an eligible building sited on a lot located in the Single-Family Residential-1 (SFR-1), Single-Family Residential-2 (SFR-2), Two-Family Residential (TFR) or Office Mixed Use (OMU) Zoning Districts, the only uses that are permitted in such Zoning Districts shall be those that are allowed as per the applicable Permitted Uses (Table 3-1) of this Chapter (Zoning); except that, for an eligible building as prescribed in this subparagraph 1B, the BOT may approve, by special use permit, multi-family housing, so long as the following additional conditions and requirements are complied with.

- [1] A minimum of eleven percent (11%) of the eligible building's total dwelling units shall be affordable and workforce for-sale housing units, or affordable and workforce rental units, in accordance with Chapter 120 (Affordable Housing) of the Village Code ("Chapter 120 affordable units").

Alternatively, rather than complying with the aforesaid 11% minimum Chapter 120 affordable units, a minimum of ninety percent (90%) of the eligible building's total dwelling units must, instead, be occupied, or set-aside and reserved for occupancy, only by volunteers and their immediate respective families ("Volunteer Dwelling Units"). For the purposes of this alternative, a "volunteer," in order for the dwelling unit to count for inclusion in the said minimum percentage of Volunteer Dwelling Units, must be a member in good standing with a not-for-profit fire company, ambulance company, emergency services company, or other first responder organization or association ("not-for-profit first responder entity") that is either headquartered within, or primarily serves, the Village; and, upon request by the Village, the not-for-profit first responder entity shall promptly provide all documentation reasonably required by the Village so as to verify qualification of a Volunteer Dwelling Unit ("verification of Volunteer Dwelling Unit status").

A third alternative, rather than complying with the said 11% minimum Chapter 120 affordable units, is that, instead, a minimum of forty-five percent (45%) of the eligible building's total dwelling units must be Chapter 120 affordable units, plus a minimum of forty-five percent (45%) of the eligible building's total dwelling units must be volunteer first responder units (subject to verification of Volunteer Dwelling Unit status).

- [2] An eligible building's maximum density shall not exceed that of the Multifamily Residential-3 (MFR-3) Zoning District. The

eligible building shall also be subject to the maximum floor area ratio (FAR) restrictions proscribed for the Multifamily Residential-2 (MFR-2) Zoning District; however, if an eligible building is sited on a lot in excess of four acres, and within 750 feet of a commercial Zoning District, then the BOT may approve of any use that is allowed in the Downtown Mixed Use-2 (DMU-2) Zoning District, subject to the maximum FAR restrictions proscribed for the DMU-2 Zoning District and so long as there is no net loss of usable open space or outdoor recreational areas on the property.

- (f) The applicant, requesting the BOT's grant of a special use permit for an Adaptive Reuse project, shall be the deeded owner of the school, educational facility, house of worship, place of religious instruction or religious convent or monastery that qualified the property as constituting an eligible building (as defined above in this sub-paragraph 1B), and shall remain the applicant until the BOT grants final approval of the special use permit, and until the final approvals of all other applicable Village land use boards are granted, approving of the Adaptive Reuse project. The applicant may authorize, in a written and signed document satisfactory in form and substance to the Village's Chief Building Inspector and Village Attorney, another person, company, corporation, limited liability company, association, organization or business entity, including a for-profit entity, to administratively handle, conduct and carry-out the application process on behalf of the applicant.
- (g) Additional Conditions. The BOT may impose additional conditions, as part of its approval of the special use permit contemplated in this sub-paragraph 1B, as the BOT may deem to be necessary so as to protect, preserve and/or enhance the neighborhood surrounding the eligible building, and to encourage the most appropriate Adaptive Reuse of the eligible building and its appurtenant property, which additional conditions may include those that are intended to ensure that there will be no net loss of usable open space or outdoor recreational areas on the property.

Section 3 – Within the Use column, of the Residential section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, directly beneath the existing language “Adaptive Reuse,” the following new language as a new type of Use:

Adaptive Reuse of eligible religious and/or educational buildings and uses by special use permit of the Village Board of Trustees as per §360-3.2(1B)

Section 4 – Column SFR, within the column for Residential Districts, within the Residential use section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of

Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, within the blank/empty space in the new row to be entitled “Adaptive Reuse of eligible religious and/or educational buildings and uses by special use permit of the Village Board of Trustees as per §360-3.2(1B),” the following new language.

S

Section 5 – Column TFR, within the column for Residential Districts, within the Residential use section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, within the blank/empty space in the new row to be entitled “Adaptive Reuse of eligible religious and/or educational buildings and uses by special use permit of the Village Board of Trustees as per §360-3.2(1B),” the following new language.

S

Section 6 – Column OMU, within the column for Other Districts, within the Residential use section, of 360 Attachment 1, Table 3-1, entitled “Permitted Uses,” of Chapter 360 (Zoning), of the Code of the Village of Nyack, is amended so as to insert, within the blank/empty space in the new row to be entitled “Adaptive Reuse of eligible religious and/or educational buildings and uses by special use permit of the Village Board of Trustees as per §360-3.2(1B),” the following new language.

S

Section 7 – Severability.

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The Village Board of Trustees hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

Section 8 – Effective Date.

This Local Law shall take effect immediately upon the filing of a copy with the NYS Secretary of State in the manner prescribed by NYS Municipal Home Rule Law §27.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Proposed Local Law Adaptive Reuse Legislation for Religious and Educational Eligible Buildings		
Project Location (describe, and attach a general location map): Village wide - Eligible Properties (see attached list)		
Brief Description of Proposed Action (include purpose or need): The proposed local law is a legislative action designed to foster the renovation and adaptive reuse of structures originally constructed for religious or educational uses in the Village of Nyack. The proposed legislation allows the adaptive and flexible reuse of such buildings in residential zones and the OMU zone (Office Mixed Use) through a special permit by the Board of Trustees (BOT). The BOT may modify specified lot and bulk requirements including off-street parking modifications to allow the preservation and reuse of the existing building even if otherwise non-conforming. The special permit also requires site plan approval by the Planning Board. Eligible buildings are defined and include such buildings on properties less than 4 acres in size. However, if an eligible building is sited on a lot in excess of four acres, and within 750 feet of a commercial Zoning District, then the BOT may approve of any use that is allowed in the DMU-2 zoning district subject to the maximum FAR restrictions in the DMU-2 zone and so long as there is no net loss of usable open space or outdoor recreational areas on the property. The proposed legislation requires a minimum of 15 percent (15%) of the eligible building's total dwelling units shall be affordable and workforce for-sale housing units, or affordable for rent units, in accordance with Chapter 120. The BOT may impose additional conditions as part of the special permit to protect, and enhance the neighborhood surrounding the eligible building. *****		
Name of Applicant/Sponsor: Board of Trustees, Village of Nyack	Telephone: 845-358-0548	E-Mail: marketstat@aol.com
Address: Village Hall @ 9 North Broadway		
City/PO: Nyack	State: NY	Zip Code: 10960
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Board of Trustees - Legislative Code Amendment to Chapter 380	
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	GML Review	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s): Village of Nyack LWRP	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 Eligible Properties are in various zoning districts in the Village including primarily in TFR zone with one site in the OB zone.

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Nyack UFSD

b. What police or other public protection forces serve the project site?
Towns of Orangetown and Clarkstown

c. Which fire protection and emergency medical services serve the project site?
Nyack Fire Department and Nyack Emergency Medical Service

d. What parks serve the project site?
Memorial Park

D. Project Details N/A - See attached Enhanced EAF Part 3

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____

b. a. Total acreage of the site of the proposed action? _____ acres
 b. Total acreage to be physically disturbed? _____ acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase I (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project?
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
 iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action N/A - See Enhanced EAF Part 3

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

<p>c. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: _____</p> <p>iii. Brief description of attributes on which listing is based: _____</p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify resource: _____</p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p>iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Village of Nyack Date April 27, 2026

Signature Robert James Galvin, AICP Title Village Planner

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Proposed Local Law Adaptive Reuse Legislation for Religious and Educational eligible Buildings			
Project Location (describe, and attach a location map): Village wide Eligible Properties (See Attached Narrative)			
Brief Description of Proposed Action: The proposed local law is a legislative action designed to foster the renovation and adaptive reuse of structures originally constructed or educational uses in the Village of Nyack. The LL allows the adaptive and flexible reuse of such buildings in residential zones and the OMU zone through a special permit by the Board of Trustees. The BOT may modify lot and bulk requirements including off street parking to allow the preservation & reuse of the existing buildings even if otherwise non conforming. The special permit also requires site plan review by PB. Eligible buildings are defined and include buildings on sites less than 4 acres. If an eligible building is on a lot in excess of 4 acres, and within 750' of a commercial zone, then the BOT may approve any use allowed in the DMU 2 zone subject to the maximum FAR in the DMU 2 as long as there is no net loss of usable open space or outdoor recreation area. The LL requires a minimum of 15% of the eligible building's total units shall be affordable and workforce housing in accord with Ch. 120. BOT may impose added conditions to protect the surrounding neighborhood.			
Name of Applicant or Sponsor: Board Of Trustees		Telephone: 845 358 0548 E-Mail: marketstat@aol.com	
Address: Village Hall @ 9 North Broadway			
City/PO: Nyack		State: NY	Zip Code: 10960
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u>			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. <u>Does the proposed action require a permit, approval or funding from any other governmental Agency?</u>			NO
If Yes, list agency(s) name and permit or approval:			YES
3.a. <u>Total acreage of the site of the proposed action?</u> _____ acres			
b. <u>Total acreage to be physically disturbed?</u> _____ acres			
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u> _____ acres			
4. <u>Check all land uses that occur on, adjoining and near the proposed action.</u>			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. <u>A permitted use under the zoning regulations?</u>	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <u>Consistent with the adopted comprehensive plan?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. <u>Does the proposed action meet or exceed the state energy code requirements?</u> If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. <u>Will the proposed action connect to an existing public/private water supply?</u> If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. <u>Will the proposed action connect to existing wastewater utilities?</u> If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. <u>Does the site contain a structure that is listed on either the State or National Register of Historic Places?</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. <u>Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input type="checkbox"/>	
14. <u>Identify the typical habitat types that occur on, or are likely to be found on the project site.</u> Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. <u>Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. <u>Is the project site located in the 100 year flood plain?</u>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. <u>Will the proposed action create storm water discharge, either from point or non-point sources?</u> If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. <u>Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</u> If Yes, explain purpose and size: _____ _____ _____	NO	YES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. <u>Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</u> If Yes, describe: _____ _____ _____	NO	YES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. <u>Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</u> If Yes, describe: _____ _____ _____	NO	YES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Village of Nyack</u>	Date: <u>August 28, 2025</u>	
Signature: <u>Robert James Galvin, AICP</u>	<u>Village Planner</u>	

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. <u>Will the proposed action impact existing:</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action is designed to foster the renovation and adaptive reuse of structures originally built for religious or educational uses in the Village of Nyack. It allows the adaptive and flexible reuse of such buildings through a special permit by the Board of Trustees. The BOT may modify specified lot and bulk requirements including off street parking modifications to allow the preservation and reuse of the existing building even if otherwise non conforming. The special permit also requires site plan review by the Planning Board. Eligible buildings are defined as any building originally constructed for religious or educational purposes including buildings previously occupied as a primary or secondary school, place of worship, accessory building to a place of worship (such as a rectory, convent, school gym or similar use) on properties less than 4 acres. However, if an eligible building is sited on a lot in excess of 4 acres, and within 750' of a commercial zone, then the BOT may approve any use that is allowed in the DMU 2 zone subject to the maximum FAR restrictions in the DMU 2 zone and so long as there is no net loss of usable open space or outdoor recreational areas on the property.

There is one eligible educational building in this category which is the BOCES Adult Educational building at 131 Midland Avenue. The BOCES building is located on approximately 8.8 acres. The west side has a parking lot, baseball and football fields (3.3 acres) while the remainder of the site is approximately 5.5 acres. The law provides language to protect the adjacent fields and open space on the BOCES property. There is a total of 7 sites that meet the eligible building criteria. All but two are in the TFR zone. One site is in the OMU (Office Mixed Use) zone and the second is in the SFR zone (Single Family) zone. The OMU property is located at N. Broadway and Marion Street. This is a 150 year old church (IPC Pentecostal Church). It contains an office use and day care center. The building is not listed on the National or NYS Register. St. Ann's Convent is in the SFR zone which has been acquired by the Nyack Fire Department to be used for volunteer fire housing. The proposed law requires that a minimum of 15% of the eligible buildings total dwelling units shall be affordable and workforce for sale or affordable for rent units in accord with Chapter 120. As part of the special permit, the BOT may allow parking to be provided on private lots within 500' of the building entrance. BOT may attach added conditions as necessary to protect the surrounding neighborhood and to encourage the most appropriate adaptive reuse of the building. The proposed legislation implements recommendations in the Comprehensive Plan and increase multi family housing (2016).

The SEQRA review analyzed the impact on historic resources. The eligible buildings maintain a visual and familiar connection with the surrounding neighborhood. While many of the religious buildings are historic dating from the late 1800's, there are no buildings on the National/NYS Register. The intent of the law is to preserve architecturally of historic features and provide a streamlined process to appropriately reuse these structures that are at risk of becoming under utilized, vacant or demolished. Any construction would be primarily limited to the interior spaces of existing buildings consistent with the architecture. This will result in limited activities outside of the building's footprint. Any noise will be incidental to ordinary construction. The BOT can attach added conditions such as that there will be no loss of usable open space on the site. The EAF reviewed impacts on flooding. None of the eligible buildings are in the 100 year floodplain. ITE trip generation and parking ratios were used to evaluate the impact versus existing uses. The analysis showed that the development impacts were generally less than the multiple existing uses on the sites. There are no wetlands, water bodies or CEA's on any of the eligible sites.

Based on the review of the EAF, other information & review of the 8 eligible sites, the proposed action is not expected to result in any significant adverse environmental impacts that would rise to the level of significance required for a Positive Declaration.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village of Nyack Board of Trustees	6/11/2026
_____ Name of Lead Agency	_____ Date
Joseph Rand	Mayor
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
	Robert James Galvin, AICP Village Planner
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

PRINT

Project:	Local Law Adaptive Reuse
Date:	4/23/26

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Robert Galvin, AICP

Village of Nyack

Waterfront Assessment Form

A. INSTRUCTIONS

1. Applicants, or, in the case of direct actions, Village agencies, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the approved Village of Nyack Local Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Village of Nyack Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the office of the Village Clerk. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront revitalization area (WRA) and its consistency with the policy standards.
3. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Describe nature and extent of action:

The proposed local law is a legislative action designed to foster the renovation and adaptive reuse of Structures originally constructed for religious or educational uses in the Village of Nyack. The proposed Legislation allows the adaptive and flexible reuse of such buildings in residential zones and the OMU Zone (Office Mixed Use) through a special permit by the BOT. The BOT may modify specified lot and bulk Requirements including off-street parking modifications to allow the preservation and reuse of the existing building even if otherwise non-conforming. The special permit also requires site Plan approval by the Planning Board. Eligible buildings are defined and include such buildings on properties less than four (4) acres in size. However, if an eligible building is sited on a lot in excess of four acres, and within 750 feet of a commercial Zoning District, then the BOT may approve of any use that is allowed in the DMU-2 zoning district subject to the maximum FAR restrictions in the DMU-2 zone and so long as there is no net loss of usable open space or outdoor recreational areas on the property. The proposed legislation requires a minimum of 15 percent (15%) of the eligible building's total dwelling units shall be affordable and workforce for-sale housing units, or affordable for rent units, in accordance with Chapter 120. The BOT may impose additional conditions as part of the special permit to protect, and enhance the neighborhood surrounding the eligible building.

2. Type of Village agency action (check appropriate response):

a. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

 X

b. Financial assistance (e.g. grant, loan, subsidy)

c. Permit, approval, license, certification

d. Agency undertaking action:

3. If an application for the proposed action has been filed with a Village, the following information shall be provided:

a. Name of applicant

_____ b.

Mailing address:

 9 North Broadway Nyack, NY 10960

c. Telephone number:

(845)_358-4249 _____

d. Property tax number: _____

e. Application number, if any:

4. Will the action be directly undertaken, require funding, or approval by a State or federal agency?

Yes _____ No _____

If yes, which State or federal agency? _____

(a) Location of action (Street or Site Description and nearest intersection):
___ Text Amendments: SFR, TFR, and OMU zones.

5. Size of site (acres): _____

6. Amount (acres) of site to be disturbed: _____

7. Present land use: _____

8. Present zoning classification: _____

9. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations): _____

10. Percentage of site that contains slopes of 15% or greater: ___ N/A ___

11. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name ___ N/A ___

(b) Size (in acres) _____

12. Is the property serviced by public water? Yes ___ No ___

13. Is the property serviced by public sewer? Yes ___ No ___

C. WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

YES NO

1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the WRA (as identified in the LWRP)?

___ X___

(a) Significant fish or wildlife habitats?

___ X___

(b) Scenic resources of local or State-wide significance?

___ X___

(c) Important agricultural lands?

___ X___

- | | | |
|---|------------|-----------|
| (d) Natural protective features in a waterfront erosion hazard area | — | X__ |
| (e) Designated State or federal freshwater wetlands? | — | X__ |
| (f) Commercial or recreational use of fish and wildlife resources? | — | X__ |
| (g) Existing or potential public recreation opportunities? | — | X__ |
| (h) Structures, sites or districts of historic, archaeological or cultural significance to the Village State or nation? | — | X__ |
| (i) Land or water uses within a small harbor area? | — | X__ |
| (j) Stability of the shoreline? | — | X__ |
| (k) Surface or groundwater quality? | — | X__ |
| | <u>YES</u> | <u>NO</u> |
| 2. Will the proposed action involve or result in any of the following: | | |
| (a) Physical alteration of land along the shoreline, underwater land or surface waters? | — | X__ |
| (b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area? | — | X__ |
| (c) Expansion of existing public services or infrastructure in undeveloped or low-density areas of the waterfront area? | — | X__ |
| (d) Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law? | — | X__ |
| (e) Mining, excavation, filling or dredging in surface waters? | — | X__ |
| (f) Reduction of existing or potential public access to, or along, the shoreline? | — | X__ |
| (g) Sale or change in use of publicly owned lands located on the shoreline or underwater? | — | X__ |
| (h) Development within a designated flood or erosion hazard area? | — | X__ |
| (i) Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion? | — | X__ |
| (j) Construction or reconstruction of erosion protective structures? | — | X__ |

- | | | |
|--|-----|-----|
| (k) Diminished or degraded surface or groundwater quantity and/or quality? | ___ | _X_ |
| (l) Removal of ground cover from the site? | ___ | _X_ |

<u>YES</u>	<u>NO</u>
------------	-----------

3. PROJECT

(a) If the project is to be located adjacent to shore:

- | | | |
|--|-----|-----|
| (1) Does the project require a waterfront location? | ___ | ___ |
| (2) Will water-related recreation be provided? | ___ | ___ |
| (3) Will public access to the foreshore be provided? | ___ | ___ |
| (4) Will it eliminate or replace a water-dependent use? | ___ | ___ |
| (5) Will it eliminate or replace a recreational or maritime use or resource? | ___ | ___ |

(b) Is the project site presently used by the community or neighborhood as an open space or recreation area?	___	___
--	-----	-----

(c) Will the project protect, maintain and/or increase the level and types or public access to water- related recreation resources or facilities?	___	___
---	-----	-----

(d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	___	___
---	-----	-----

(e) Is the project site presently used for commercial or recreational fishing or fish processing?	___	___
---	-----	-----

(f) Will the surface area of any local creek corridors or wetland areas be increased or decreased by the proposal?	___	___
--	-----	-----

(g) Is the project located in a flood prone area?	___	___
---	-----	-----

(h) Is the project located in an area of high erosion?	___	___
--	-----	-----

(i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	___	___
--	-----	-----

(j) Do essential public services or facilities presently exist at or near the site?	___	___
---	-----	-----

(k) Will the project involve surface or subsurface liquid

- waste disposal?
- (l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?
- (m) Will the project involve shipment or storage of petroleum products?
- (n) Will the project involve the discharge of toxics, hazardous substances or other wastes or pollutants into WRA waters?
- (o) Will the project involve or change existing ice management practices?
- (p) Will the project alter drainage flow, patterns or surface water runoff on or from the site?
- (q) Will best management practices be utilized to control storm water runoff into WRA waters?
- (r) Will the project cause emissions that would exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?
- (s) Will the project involve any waste discharges into WRA waters?

D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES"
 (Add any additional sheets necessary)

None

If you require assistance or further information in order to complete this form, please contact the Village Code Enforcement Office.

Please submit completed form, along with one copy of a site/sketch plan to:

Nyack Village Hall, 9 North Broadway, Nyack, NY 10960

Preparer's Name (Please print): Robert James Galvin, AICP

Affiliation: Village Planner

Telephone Number: (845) 358-4249

Date: 4/23/2026

Memo

To: Mayor and Board of Trustees
Cc: Village Administrator, Village Attorney, Chief Building Inspector
From: Bob Galvin, Village Planner
Date: 4/23/26
Re: Overlay Zone to Allow Adaptive Reuse for Eligible Religious and Educational Buildings

Background

The Trustees may consider amending local zoning code such that, in the unlikely event of the sale of a church or school property, development options would include not just the continuation of religious or educational use, but investment in housing. Currently, with churches and schools located in the TFR (Two Family Residential or SFR – Single Family) zone, the only redevelopment option, aside from continued religious or educational use, would be to convert an existing building to a one or two-family use, or demolish the building and build detached one- or two-family homes. Neither scenario appears feasible, and the latter scenario would not preserve any of the architectural values of the existing buildings.

Mayor Rand requested the development of a draft law that would amend local zoning to provide for the reasonable redevelopment of properties currently used for religious or educational purposes, in the event they are sold. No such properties are currently known to be available for sale, with the exception of the St Ann's convent, recently sold to the Nyack FD for multifamily housing for volunteers.

Summary of Proposed Action

The proposed local law is a legislative action designed to foster the renovation and adaptive reuse of structures originally constructed for religious or educational uses in the Village of Nyack. A new section is proposed to be added to the Zoning Code to encourage the adaptive and flexible reuse of such structures for a more economic and efficient use and to prevent such buildings from becoming under-utilized, vacant or deteriorated. Legislation allows the adaptive and flexible reuse of such buildings through a special permit by the Board of Trustees (BOT). The BOT may modify specified lot and bulk requirements including off-street parking modifications to allow the preservation and reuse of the existing building even if otherwise non-conforming. The special permit also requires site plan approval by the Planning Board. The special permit authority granted to the Planning Board would be in lieu of, rather than in addition to, the Zoning Board of Appeals special permit authority generally for private schools, places of

places of worship and religious instruction in residential zones.

Eligible buildings are defined as any building originally constructed for religious or educational purposes including buildings previously occupied as a primary or secondary or adult school, place of worship, accessory building to a place of worship (such as a rectory or parish house, convent, school gym or similar use) on properties less than 4 acres. However, if an eligible building is sited on a lot in excess of four acres, and within 750 feet of a commercial Zoning District, then the BOT may approve of any use that is allowed in the DMU-2 zoning district subject to the maximum FAR restrictions in the DMU-2 zone and *so long as there is no net loss of usable open space or outdoor recreational areas on the property*. There is one eligible educational building in this category which is the BOCES Adult Education building at 131 Midland Avenue. The BOCES Adult Education building is located on approximately 8.8-acres. The west side has parking lot, baseball and football fields (3.3 acres) while the remainder of the property is approximately 5.5- acres. The legislation provides language to protect the adjacent fields and open space on the BOCES property.

The proposed legislation also requires that a minimum of 15 percent (15%) of the eligible building's total dwelling units shall be affordable and workforce for-sale housing units, or affordable for rent units, in accordance with Chapter 120 of the Village Code. The BOT may impose additional conditions as part of the special permit to protect, and enhance the neighborhood surrounding the eligible building as well as encouraging the most appropriate adaptive reuse of the eligible building and its appurtenant property. These additional conditions may include those that are intended to ensure that there will be no net loss of usable open space or outdoor recreational areas on the property.

There is a total of 6 identified properties in the Village that would meet the definition of 'Eligible Buildings' in the proposed legislation (see list below). All but one of the eligible buildings are in the TFR zone. The remaining eligible building is in the OMU zone. The adaptive reuse of eligible buildings has been added as a permitted use in the residential and commercial zones under this proposed legislation. Multi-family buildings would be subject to the open space and maximum FAR requirements of the MFR-2 District. Many of the eligible buildings have historic and architectural features that maintain a visual and familiar connection with the surrounding neighborhood. The adaptive reuse of these eligible, existing buildings will help preserve these buildings and maintain their connection to the surrounding neighborhood, prevent such buildings from becoming underutilized, vacant or deteriorated, assist in increasing the supply of affordable housing with a set aside of 15 percent of the total units. As a condition of the BOT's special permit under the proposed legislation, the proposed exterior alterations shall be generally consistent with the original building's architecture and the neighborhood in which it is located. As part of the special permit, the Board will also analyze parking impacts of the proposed adaptive reuse and allow parking to be provided on private lots within 500 feet

of the building entrance. The BOT may attach additional conditions to the special permit as may be necessary to protect the surrounding neighborhood and to encourage the most appropriate adaptive reuse of the buildings and property.

List of Eligible Buildings

1. **India Pentecostal Fellowship (IPC)** – current church began in 2002)
85 Marion Street 2-story building (16,100 sf) - includes current day care facility
OMU - (former 1st Baptist Church of Nyack – Historic Church 150 years old)
2. **Grace Episcopal Church** includes Church, attached building and rectory (18,000 sf)
130 1st Avenue
TFR -- (Historic Church – 1882)
3. **Holy Virgin Protection Russian Orthodox Church** (includes Church, Church Hall with school in church hall)
51 Prospect Street (15,125 sf)
TFR
4. **St. Ann Catholic Church** (Church and attached Rectory) – 8,800 sf
16 Jefferson Street

St Ann School – (20,000 sf - lot is 1.12 acres) - TFR; **Convent** – on north side of Fifth Avenue – being acquired by Nyack Fire Dept. for volunteer housing. –
146 Third Ave. - SFR
(Historic Church 1870; new church 1893; Rectory adjacent to Church 1885, new school at 19 Jefferson Street on east side of Jefferson Street) School closed in 2000 but Religious Ed program is still operating in the former school with a food pantry. Approximately 30+ parking spaces on the school site.) St. Ann’s merged with St. Paul’s in Congers by the NY Archdiocese in 2015 – St. Ann’s still has over 800 parishioners.)
5. **St. Phillips AME Zion Church**
167 Burd Street (1,740 sf – lot is 0.09 acres)
TFR
6. **BOCES Adult Education** (lot is 8.8 acres) – west side has parking lot, baseball and football fields (3.3 acres); the east side has the former HS (now BOCES) with parking lots behind the HS (lot is 5.5 acres) the building is approximately 197, 000 sf with a large courtyard)
131 North Midland Avenue
TFR

Summary of Potential Housing Units in Eligible Buildings in Nyack

Location	Zoning	Property Size	Building Size	Potential # of Units
IPC 85 Marion	OMU	11,326 sf	16,100 sf	21
Grace Episcopal	TFR	41,382 sf	18,000 sf	18
Russian Orthodox	TFR	23,522 sf	15,125 sf	20
St. Ann Church	TFR	16,117 sf	8,800 sf	8
St. Ann School	TFR	47,916 sf	20,000 sf	26
St. Ann Convent	SFR	10,454 sf	16 beds	8
St. Phillips Church	TFR	3,920 sf	1,740 sf	N/A
BOCES	TFR	383,328 sf	170,000 sf ©	130

Except for St. Ann's Convent, there are no development proposals for any identified locations.

© BOCES Adult Education includes a large courtyard

Projects with a structure that would be the easiest for adaptive reuse for multi-family development would be St. Ann's School at 19 Jefferson Street and the India Pentecostal Fellowship (IPC) Church at 85 Marion Street.

St. Ann's School is located on east side of Jefferson Street). It is a two-story building which contains the Church's Religious Education Program and a food pantry. The school building is approximately 20,000-sf. The building is on a 47,916-sf lot which has over 30 parking spaces on-site. There is additional parish parking on the west side of Jefferson Street, opposite the school. The school was closed in 2000, and St. Ann's was merged with St. Paul's in Congers by the NY Archdiocese in 2015. St. Ann's is still an active parish with over 800 parishioners.

The India Pentecostal Fellowship (IPC) Church is located at 85 Marion Street. The property is 11,326 sf. The IPC acquired the building from the former owner, the First Baptist Church at Nyack, in 2002. The building is a 150-year-old historic church which has frontage on North Broadway and Marion Street. The Church building is a two-story structure that could be adapted as garden apartments for multi-family use. The IPC uses portion of the building as a daycare center.

The BOCES Property is located on 8.8 acres. The boundaries of the property are North Midland Avenue on the west; Fifth Avenue on the north; extension of Tillou Lane through to Haven Ct. on the east; and Haven Court on the south. The western portion of the parcel includes a parking lot at corner of North Midland and Haven Court, the baseball field and the MacCalman football Field. There are ten residences along the southern boundary of the property facing Haven Court. The approximate size of the western portion containing the parking lot and fields is 4.5 acres and the eastern portion containing the BOCES building and parking is approximately 4.3 acres. If the School District decided to sell the property, it is likely that the 8.8 acre would be for sale. Conceptually, the Village would want to maintain the western portion of the site for open space purposes with the remainder being developed for multi-family housing or commercial/office uses. The proposed legislation would allow multi-family housing and other office and/or commercial uses subject to the maximum FAR restrictions proscribed for the DMU-2 Zoning District and so long as there is no net loss of usable open space or outdoor recreational areas on the property.

Analysis of Potential Impacts

Under the proposed legislation, an applicant must submit a site plan to the Planning Board and a special permit application to the Board of Trustees to take advantage of the provisions, flexibility and the review provided by the special permit process. If an application for a special permit is made, the application must be accompanied by a site-specific Environmental Assessment Form (EAF) which examines the impacts of the granting of the special permit and its consistency with the original architecture and the neighborhood in which it is located. The legislation itself does not lead to any built project. The proposed legislation encourages the adaptive reuse of existing eligible buildings. As such, any construction would be primarily limited to the interior spaces of existing buildings consistent with the original structure's architecture. This will result in limited activities outside of the building's footprint. Any noise would be incidental to ordinary construction activities which would be primarily limited to interior construction. Land disturbance would occur primarily in cases where existing on-site parking is reconfigured, which would provide the opportunity for reductions in impervious surfaces on the property. There are no wetlands, surface water bodies, or Critical Environmental Areas (CEAs) on any of the properties with eligible buildings. Moreover, none of the eligible buildings are in floodplain areas. While many of the religious buildings are historic dated from the late

1800's and are architecturally significant, there are no eligible buildings which have been placed on the New York State or National Register. The proposed action is designed for the preservation of an archeological or historical resource and would include activities undertaken to protect or rehabilitate a historic structure or site, conducted in accordance with adopted standards and guidelines for such preservation.

This is precisely the intent of the proposed legislation, namely, to preserve structures originally constructed for religious or educational uses, which have historic, architectural or cultural value through the adaptive reuse of such structures.

Nyack Sketch Log: The Underground Railroad

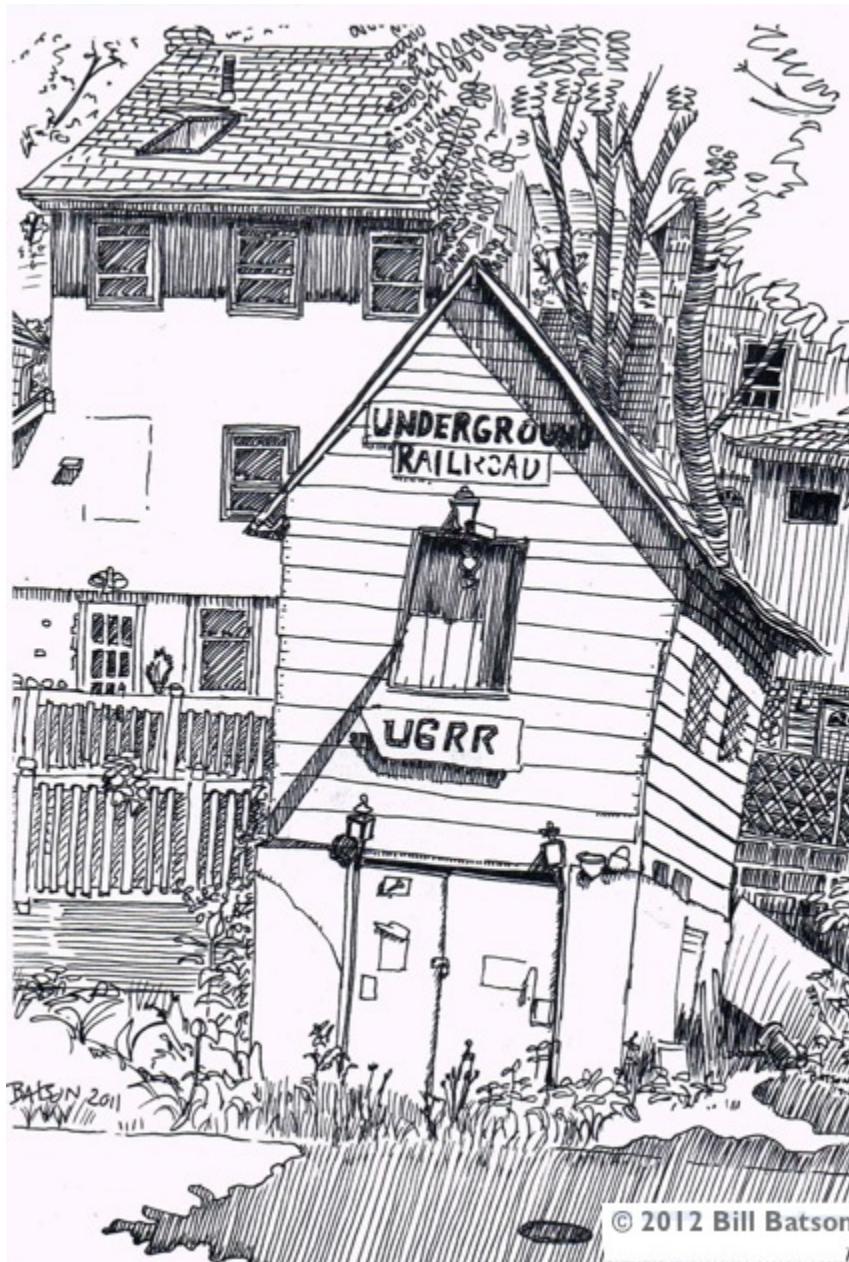


By

[News & Views Staff](#)

Published

May 15, 2012



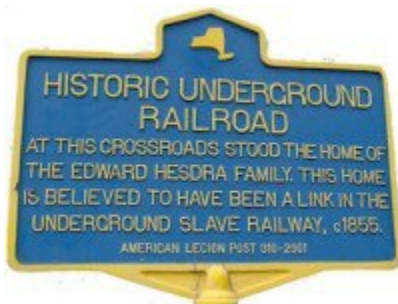
by Bill Batson

Joseph Mitlof created this shrine to the Underground Railroad in Nyack in 2004. As founder of the [Historic Underground Railroad Society](#), Mitlof has been the driving force behind three historic markers situated along the path of the Nyack Brook that commemorate what some have called the first civil rights movement in America. For Mitlof, the telling of the story of the Underground Railroad is not just an effort to preserve buildings and erect plaques, but an opportunity to celebrate an event that he believes “epitomizes the concept of people helping other people.”

A shroud of secrecy surrounded the actions of the men and women who provided aid to escaping slaves before 1863 when slavery was abolished. It was the notorious clandestine nature of the network of safe houses called stations that made me stop in my tracks when I saw the words Underground Railroad in large black letters on the side of Mitlof’s structure. The shockingly incongruent signage had served its purpose. I was reminded that Nyack was an important stop on the route that escaping slaves took to reach freedom in Canada. And my appetite had been whetted to learn more.

Slavery was abolished in 1827 in New York State. According to noted historian Carl Nordstrum, there was a substantial free black community in Nyack by 1850. Arriving in Rockland County should have been the equivalent of reaching the Promised Land for fleeing bondsmen. However, aiding an escaping slave was a crime on either side of the [Mason Dixon line](#). Passed in 1793 and expanded in 1850, the [Fugitive Slave Act](#) allowed bounty hunters called “blackbirders” to roam the country seizing people of color for return to the South regardless of whether they had been indentured.

It is widely held that Nyack was the mid point between two locations on the Underground Railroad: Jersey City, 39 miles to our south and Newburg 40 miles to our north. In a contemporary account of the secret sanctuary movement published in 1886, Dr. Frank B. Green confirmed Nyack as a stop on the Underground Railroad. He also mentions names of families who were known to be involved in the clandestine activity, including the Hesdras and the Towts.



The first marker that Mitlof helped erect was unveiled on Presidents’ Day in 2002. Mitlof convinced the American Legion to fund the project on the site of the Hesdra house in his capacity as the group’s historian. The home of freed slave Cynthia Hesdra and her husband Edward stood at the corner of Route 59 and 9W and was destroyed by order of the Urban Renewal Agency of Nyack in 1977, despite the objections of the Historical Society of the Nyacks and Village Trustee Noel Oursler.

If you extend the chain of markers that Mitlof has started to the east and west, you could create a compelling black history trail through Nyack.

- **First stop:** [Mount Moor cemetery](#), the segregated black burial ground that has been overrun by the Palisades' Mall,
- **Second stop:** the Hesdra House, where local historian Dr. Lori Martin has recently shined a spot light on the contributions of [Cynthia Hesdra](#),
- **Third stop:** [St. Philips AME Zion Church](#), founded by Harriet Tubman and Fredrick Douglass contemporary John W. Towt,
- **Last stop:** the [John Green House](#), home of a 19th century figure that owned slaves.

The added poetic justice of this route is that it almost perfectly follows the path through our community that escaping slaves took to reach freedom.



Replicas of Mitlof's Underground Railroad shrine and the Hesdra house created by local artist John Rossi

Giles R. Wright, the official black historian of the State of New Jersey, relies on five criteria for verifying an Underground Railroad site: the age of the building, its location, the ownership during the years the Underground Railroad was operating, oral history and the rare written document. Mitlof does not suggest that his converted garage, which is located in a parking lot between Catherine Street and Main Street just below Midland Avenue, is an actual Underground Railroad location. However, his placement of markers seem to meet the Giles Wright test: near the Hesdra house, St. Philip's, the church founded by abolitionist John W. Towt, and along the route of the Nyack Brook, which was used as a landmark for escaping slaves.

Mitlof, who is white, describes himself as a child of the 60's who watched as the nation went up in flames during the unrest that followed the assassinations of Robert Kennedy and Rev. Dr. Martin Luther King Jr. He fears that the combustible material of racial discord still clutters the public square. For Mitlof, the Underground Railroad symbolizes a period in our history when blacks and whites came together to overcome a seemingly insurmountable injustice.

By elevating the section of the underground railroad that ran through Nyack, as Mitlof and other local scholars are attempting to do, we can give people another reason to consider Nyack a unique and historically significant destination. More importantly, embracing this period of history honors those nameless souls who passed through our village in the ultimate pursuit of

life, liberty and happiness and those who lived here and bravely risked everything to see that the greater good be done.

Joseph Mitlof would like to expand his shrine into a proper exhibition space to introduce school children to the history of the Underground Railroad movement. If you are interested in helping, contact Mr. Mitlof at hugrs@hugrs.org.

For more information on the period visit the [National Underground Railroad Freedom Center](#).

Special thanks to Brian Jennings, the Librarian Supervisor at the Nyack Library and Dr. Lori Martin, author of the Ex-Slave's Fortune: The Story of Cynthia Hesdra.

Bill Batson, an artist, writer and activist draws sketches and writes essays curbside in Nyack,



NY. [“Nyack Sketch Log: The Underground Railroad”](#) ©2012, Bill Batson.

The Nyack Sketch Log is sponsored by [The Corner Frame Shop](#) at 40 South Franklin Street in Nyack, NY.



Architecture + Design

PROJECT NARRATIVE

Zoning District Boundary Revision

267 Main Street/248 Depew Avenue
Nyack NY 10960

1 April 2025

S&Co. 2508

The subject property is located at 267 Main Street/248 Depew Avenue. The larger northern portion of this property fronts onto Main Street and is located in the DMU-2 zone, while the smaller southern portion of the property fronts onto Depew Avenue is located in the TFR zone. The property includes an existing north-south access road that connects Main Street and Depew Avenue. The zoning district boundary line running east to west across the property demarcating the two zones is a continuation of the same district boundary line running towards the east, where it is coincident with the northern boundary of a series of TFR lots located in that direction.

The subject property is under the ownership of a single entity and is considered a single tax lot (65.44-2-4&5). Lot 5 is located at the southeast corner of the property and is currently in the process of being combined with Lot 4 to create a single tax lot. The property is being considered for multi-family redevelopment, which may or may not incorporate the existing building at the north side of the property. In either redevelopment scenario, the property's unusual location in two zoning districts creates issues with regard to different dimensional standards, including setback requirements, height limits and minimum dwelling unit sizes, for each zone. The relocation of the DMU-2 zoning boundary line so that it is coincident with the existing property line will remove the aforementioned issues and will result in the entire property's being located in the DMU-2 zone.

As the architects for this proposed zoning district boundary revision, we are pleased to present this project to the Village Board of Trustees for their consideration and we respectfully request that the Board approve this application.



Village Of Nyack

Incorporated February 27, 1883



Asst Building Inspectors
Paul Rozsypal
Fire Inspector
David Smith
Code Enforcement Officer
Richard J. Siddi

BUILDING DEPARTMENT
9 North Broadway
Nyack, New York 1096-2697
(845) 358 - 4249

www.nyack.gov buildingdepartment@nyack.gov

MANNY A. CARMONA
Chief Building Inspector

VILLAGE BOARD OF TRUSTEES APPLICATION

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

Project Street Address: 267 Main St. & 248 Depew Ave Application Date: 5/12/26

Project Name: PROPOSED ZONING BOUNDARY REVISION @ 267 MAIN/248 DEPEW

Tax Map Designation: Section 65.44 Block 2 Lot 4 & 5 Property Classification: Mixed Use & Vacant

Project Location: On the SOUTH side of MAIN STREET approximately, 150 feet from the intersection of MAIN STREET and HIGHLAND AV (RT9W) in the Village of Nyack.

Acreage of Parcel .67 ± Zoning District DMU-2 & TFR

Historic Landmark: Yes NO historic district: Yes NO

Listed on or eligible for listing on the State and/or National Register of Historic Places: Yes NO

Included in inventory of historic properties & districts within the Village: Yes NO

View Protection Overlay District: Yes NO

Project Description: (please attach a narrative summary).

CONTACT INFORMATION

	NAME/ADDRESS	PHONE #/ E-MAIL	LICENSE #
Applicant	ROBERT SILARSKI AIA 41A N. BROADWAY NYACK NY 10960	845 558-1516 ROBS@SCOARCH.COM	17748
Property Owner			
Architect	ROBERT SILARSKI AIA 41A N. BROADWAY NYACK NY 10960	845 558-1516 ROBS@SCOARCH.COM	17748
<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 Village Board of Trustees for review, approval, approval with modifications or disapproval to change the zoning boundary line.

Application's conformance: This application does not conform to the Local Zoning and Planning Law of the Village of Nyack. **Applicant is seeking approval for the relocation of the DMU-2 district boundary line so that it is coincident with the existing property line along the TFR district boundary line.**

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

Amendment to Zoning Map \$500 x 2 Lots = \$1,000 Receipt #/Date _____

Public Hearing \$150 Receipt #/Date _____ **Escrow:** \$ _____

(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.

§ 360-1.2 Authority.

This chapter is a local law establishing zoning and planning regulations for the Village of Nyack and providing for the administration and enactment of those regulations, pursuant to § 7-700 of the Village Law of the State of New York, as amended. This chapter has been adopted and enacted by the Village Board of Trustees of the Village of Nyack, by virtue of the power and authority vested in it by law.

§ 360-1.4 Purpose and intent.

This Village of Nyack has adopted this chapter for the purposes set forth in § 7-700 of the Village Law of the State of New York, which, in the interest of the protection and promotion of the public health, safety and welfare, shall be deemed to specifically include the following, among others:

- A.** Implement adopted plans, including the Comprehensive Master Plan of the Village of Nyack (CMP).
- D.** Enhance uses and the walkability of the Corridor Commercial District and adjacent areas, including redevelopment that addresses design and safety concerns.
- F.** Protect the character of established residential neighborhoods and ensure privacy for families.
- G.** Maintain and promote economically vibrant and attractive business and commercial areas; facilitate the efficient and adequate provision of public facilities and services through orderly and compatible land use and development patterns.
- H.** Prevent and reduce traffic congestion and provide safe and adequate traffic access to uses generating large volumes of vehicles.
- I.** Gradually eliminate nonconforming uses and limit their enlargement.
- J.** Preserve historic and natural features that contribute to the economic strength of the Village and provide for the review of new development to encourage quality design that reflects and enhances the historic Village.
- K.** Encourage development that accommodates solar energy systems, access to sunlight and sustainable development techniques and materials.

L. Ensure that the Village remains a place where a wide variety of residents can find and maintain a home.

M. Provide clear and efficient development review and approval procedures.

N. Provide privacy for families.

O. Accommodate growth and development that complies with the preceding stated purposes.

FOR VILLAGE BOARD OF TRUSTEES REVIEW:

§ 360-5.6 Amendments to this chapter.

A. Purpose and applicability. The Board of Trustees may from time to time on its own motion, or on petition, or on recommendation of the Planning Board or the Zoning Board of Appeals or Architectural Review Board amend, supplement or repeal the regulations and provisions of this chapter after public notice and hearing, as provided in §§ 7-706 and 7-708 of the Village Law of the State of New York.

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. Applicable, with the following referral requirements:

■ **(a) Planning Board.** Every such proposed amendment shall be referred by the Board of Trustees to the Planning Board for a report before the public hearing. The Board of Trustees shall not take action on any such amendment without a recommendation from the Planning Board unless the Planning Board fails to render such report within 60 days after the next regularly scheduled meeting of such Board following the time of such referral.

Planning Board Recommendation Date _____ **None**

■ **(b) Rockland County Planning Board.** Any change in the district classification of or the regulations applying to real property lying within a distance of 500 feet of the following shall be referred to the Rockland County Planning Board prior to final action in accord with §§ 239-l and 239-m of the General Municipal Law.

Sent Date _____ **Comments Received** _____

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

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

■ [3] The right-of-way of any existing or proposed county or state road, parkway or other controlled access highway. **(DOT & THRUWAY)**

Sent Date _____ **Comments Received** _____

[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.

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

■ **(4)** Step four: Public notice. Applicable, with the following additional notice requirements:

Sent Date _____

(a) A written notice of any proposed change or amendment affecting property within the protectively zoned area of a housing project authorized under the Public Housing Law, as such area is shown on an approved zoning map filed with the Zoning Office, shall be given to the housing authority erecting or owning the project and to the government providing financial aid for assistance thereto at least 10 days prior to the date of such hearing.

(b) A written notice of any proposed change or amendment affecting property within 500 feet of the boundaries of any state park or parkway shall be given in the regional State Park Commission having jurisdiction over such state park or parkway no less than 10 days prior to the date of such public hearing.

(c) A written notice of any proposed change of amendment affecting property within 500 feet of the boundaries of any municipality shall be given to the Clerk of such municipality at least 10 days, but not more than 30 days, prior to the date of such hearing.

(5) Step five: Public hearing. Applicable, with the following modifications:

(a) If a protest against the amendment signed by the owners of 20% or more of the area of land included in such proposed change or of that immediately adjacent and within 100 feet of that area of land or that directly opposite thereto, as measured from the adjacent street frontage, such amendment shall not become effective except by the affirmative vote of at least four members of the Board of Trustees.

Protest _____ % **None**

(b) If the Rockland County Planning Board, following its review of the amendment as required above, provides a recommendation for disapproval or

approval with modifications, along with a statement for its reasons for such recommendation, such amendment shall not become effective except by the affirmative vote of at least four members of the Board of Trustees.

RCPB: **Approved** **Modifications** **Disapproved** **BOT Vote** _____

(6) Step six: Decision and findings. Applicable.

C. Criteria. In considering a proposed amendment, the Planning Board and Board of Trustees shall consider the following items:

(2) Zoning Map amendments.

(a) Whether the uses permitted by the proposed change would be appropriate in the area concerned.

Appropriate **Not Appropriate**

(b) Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional dwelling likely to be constructed as a result of such change.

Yes **NO**

(c) Whether the proposed change is in accord with any existing or proposed plans in the vicinity.

Yes **NO**

(d) The effect of the proposed amendment upon the growth of the Village as envisaged by the Comprehensive Plan.

Complies **Does Not Comply**

(e) Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the Village and the probable effect thereof.

Increase **Decrease**

(3) Consistency with Comprehensive Plan. In all cases where the Board of Trustees shall approve an amendment to the Zoning Map, the Board shall find that such amendment is consistent with the aims of the Comprehensive Plan for the Village.

Consistent **Not Consistent**

§ 360-2.4 Mixed-use districts.

A. General purpose of mixed-use districts. Mixed-use districts define the uses of land and the siting and character of buildings and improvements to promote compatibility between uses. Buildings are typically designed and oriented to maximize visibility and provide a high quality of public space and architectural features. The districts are also intended to encourage redevelopment of underutilized parcels and in fill development of vacant parcels. The mixed-use districts specifically are intended to:

(1) Concentrate residential development, and commercial and office employment efficiently in and around the downtown and other key nodes of activity;

Compliant

Not compliant

(2) Encourage mixed-use and higher-density redevelopment, conversion and reuse of aging and underutilized areas, and more efficiently use land at key nodes in the Village;

Compliant

Not compliant

(3) Create compact and pedestrian-oriented environments that encourage pedestrian access and pedestrian traffic;

Compliant

Not compliant

(4) Concentrate a variety of commercial services and public facilities that serve the surrounding community;

Compliant

Not compliant

(5) Ensure that the appearance and function of development in mixed-use areas is well-integrated with surrounding neighborhoods;

Compliant

Not compliant

(6) Ensure that development in mixed-use areas is of high quality and provides pedestrian scale and interest through use of varied forms, materials, details and colors, especially at the ground floor; and

Compliant

Not compliant

(7) Provide adequate light, air, privacy and open space for each residential dwelling, and protect residents from the harmful effects of excessive noise, glare and light pollution, traffic congestion and other significant adverse environmental effects.

Compliant

Not compliant

B. Downtown Mixed-Use Districts (DMU-2).

(1) Purpose. The purpose of the Downtown Mixed Use (DMU-2) Districts is to provide for the most intensive concentration of retail sales and service, personal services, office and public and institutional uses in the heart of the Village. In addition, the district is intended to encourage the development of multifamily residential units above the ground floor. Redevelopment should preserve the existing historic character, scale and mix of uses in the downtown.

Appropriate new development should add to the civic and economic vitality of the community. In order to encourage pedestrian-friendly environments, special standards are provided to address urban design, building design and parking considerations.

Specifically, the DMU-1 District is designed to place more specific standards in the Village's downtown core retail areas as specified in the Village's Comprehensive Master Plan. Unless otherwise specified, all standards of the DMU-1 District apply to the DMU-2 District. Of the standards listed in § 360-2.4B, the following do not apply to the DMU-2: §§ 360-2.4B(2)(a), 360-2.4B(2)(b), and 360-2.4B(3).

(2) District specific standards.

(c) Building entrances. Buildings shall have one or more pedestrian entrances located on the front facade and facing the street. The entrance setbacks should reflect adjacent buildings. The pedestrian entrance(s) shall be operable during normal hours of business operation.

Compliant

Not compliant

(d) New curb cuts restricted. To establish and maintain a continuous streetscape the construction of new curb cuts shall require a special permit. In no case shall a curb cut exceed 18 feet in width. Existing curb cuts shall be vacated when redevelopment of a property makes them unnecessary or inconsistent with the intended character of the zoning district.

Curb Cut Width _____ **ft.**

Approved

Disapproved

(e) Security gates. Solid security gates are prohibited.

Proposed Type of gate _____

Not Proposed

(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.

Will Comply

Not Applicable

The following documents shall provide the following:

- Color photographs of all buildings and structures on the lot and on adjacent properties.
- General Municipal Law (GML) required.
- Affidavit that the proposed work and applicant are authorized by the property owner.
- Project narrative
- Site Plan showing the existing and the proposed boundary lines
- Public notice for hearing.

§ 360-5.4E(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: _____ Posted notice photo

Date application e-mailed to applicant: 4/22/2026

Date application received by the Bldg. Dept: _____

Date application is determined to be complete: _____

Date of BOT meeting: _____

PUBLIC COMMENTS: Opened _____ Closed _____
Date Date

APPROVED: _____ to _____
Date Vote Vote

REFERED: PB ZBA NO

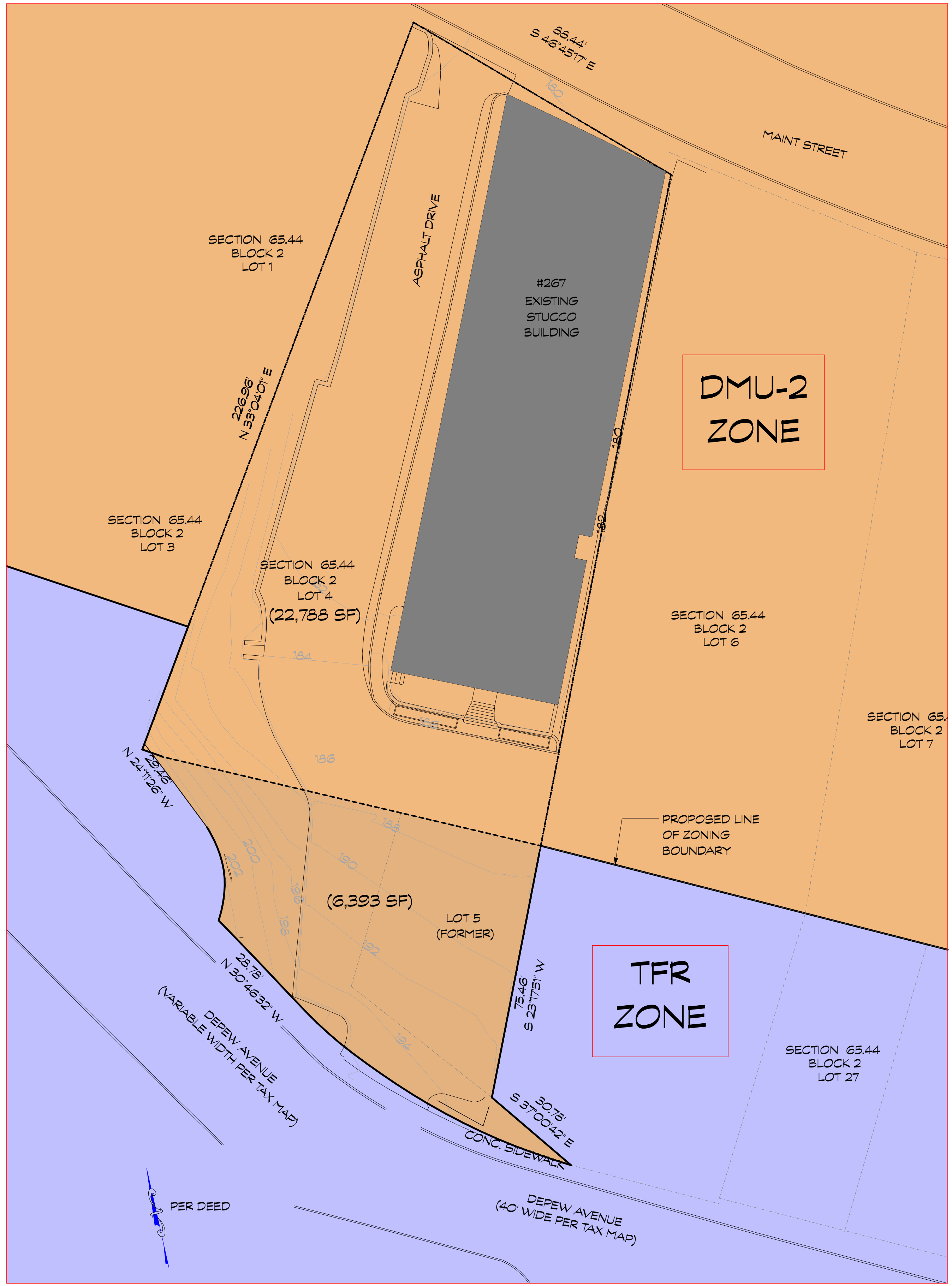
DISAPPROVED: _____ to _____
Date Vote Vote

FOR THE FOLLOWING REASONS: _____

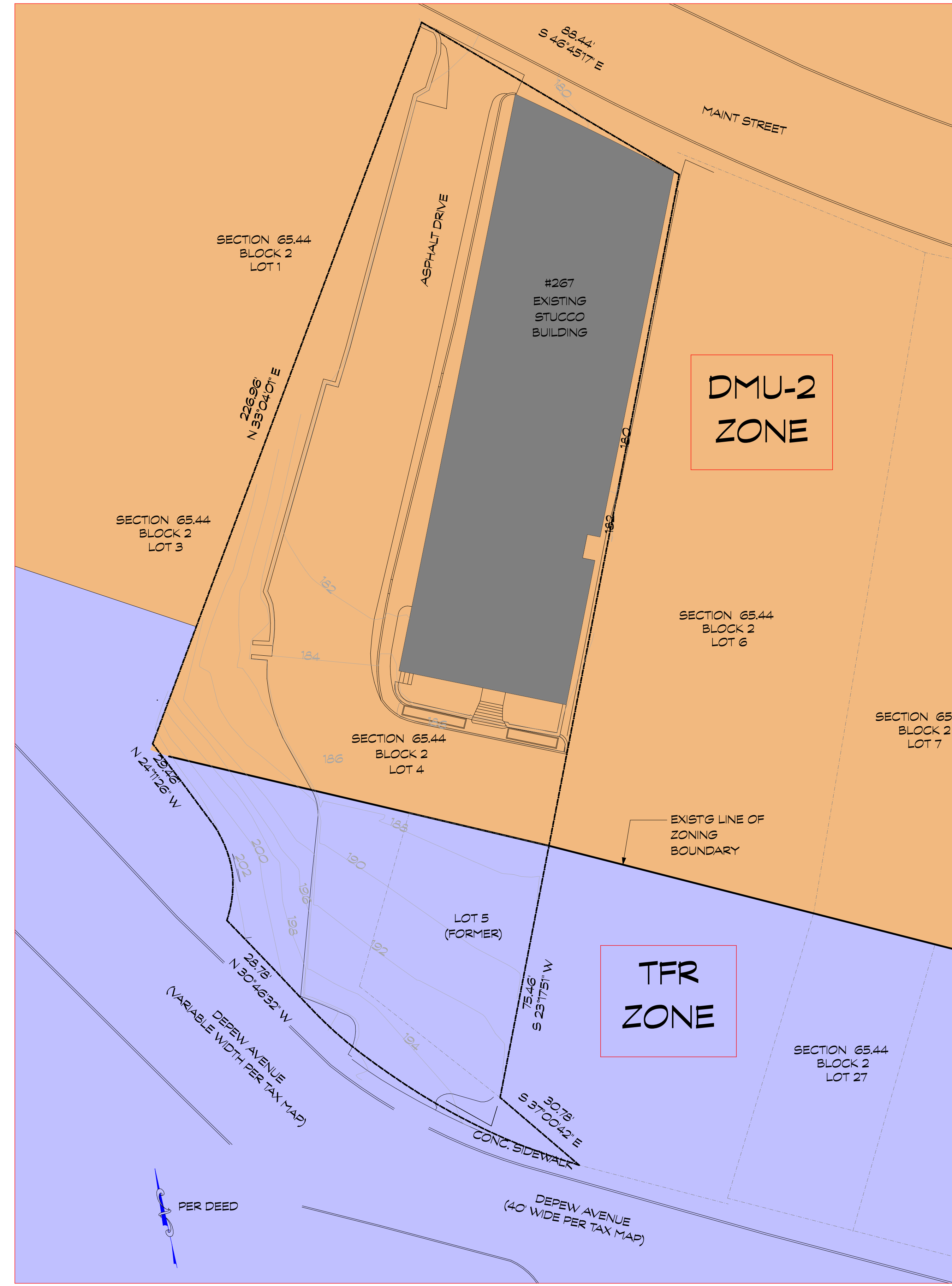
MANNY A. CARMONA
Chief Building Inspector



NYS LICENSE EXPIRES NOV. 2026
ALL RIGHTS, TITLE AND INTEREST IN THE DESIGN, DRAWINGS & ANY SPECIFICATIONS AS INSTRUMENTS OF SERVICE HERE & SHALL REMAIN THE PROPERTY OF SECO ARCHITECTURE + DESIGN WHETHER OR NOT THE PROJECT IS COMPLETED, EXECUTED OR COMPLETED. DESIGN, DRAWINGS & SPECIFICATIONS CONTAINED IN THIS SET SHALL NOT BE MADE AVAILABLE TO OR USED BY ANY PERSON OR ENTITY, EXCEPT IN FURTHERANCE OF THE PROJECT WITHOUT THE PRIOR WRITTEN CONSENT OF SECO ARCHITECTURE + DESIGN.



2 PROPOSED ZONING BOUNDARY
SCALE: 1" = 20'



1 EXISTING ZONING BOUNDARY
SCALE: 1" = 20'

**PROPOSED ZONING BOUNDARY
REVISION @ 267 MAIN STREET/248
DEPEW AVENUE**
NYACK NEW YORK | 10960

MARK	DATE	DESCRIPTION
12-28-2025		NYACK BUILDING DEPT.

ZONING PLANS

SCALE AS NOTED

A-001
SECO # 2508



A ADJ STRUCTURE EAST (FRONT)
MAIN STREET



B ADJ STRUCTURE EAST (SIDE)
DEPEW AVENUE



C ADJ STRUCTURE EAST (REAR)
DEPEW AVENUE



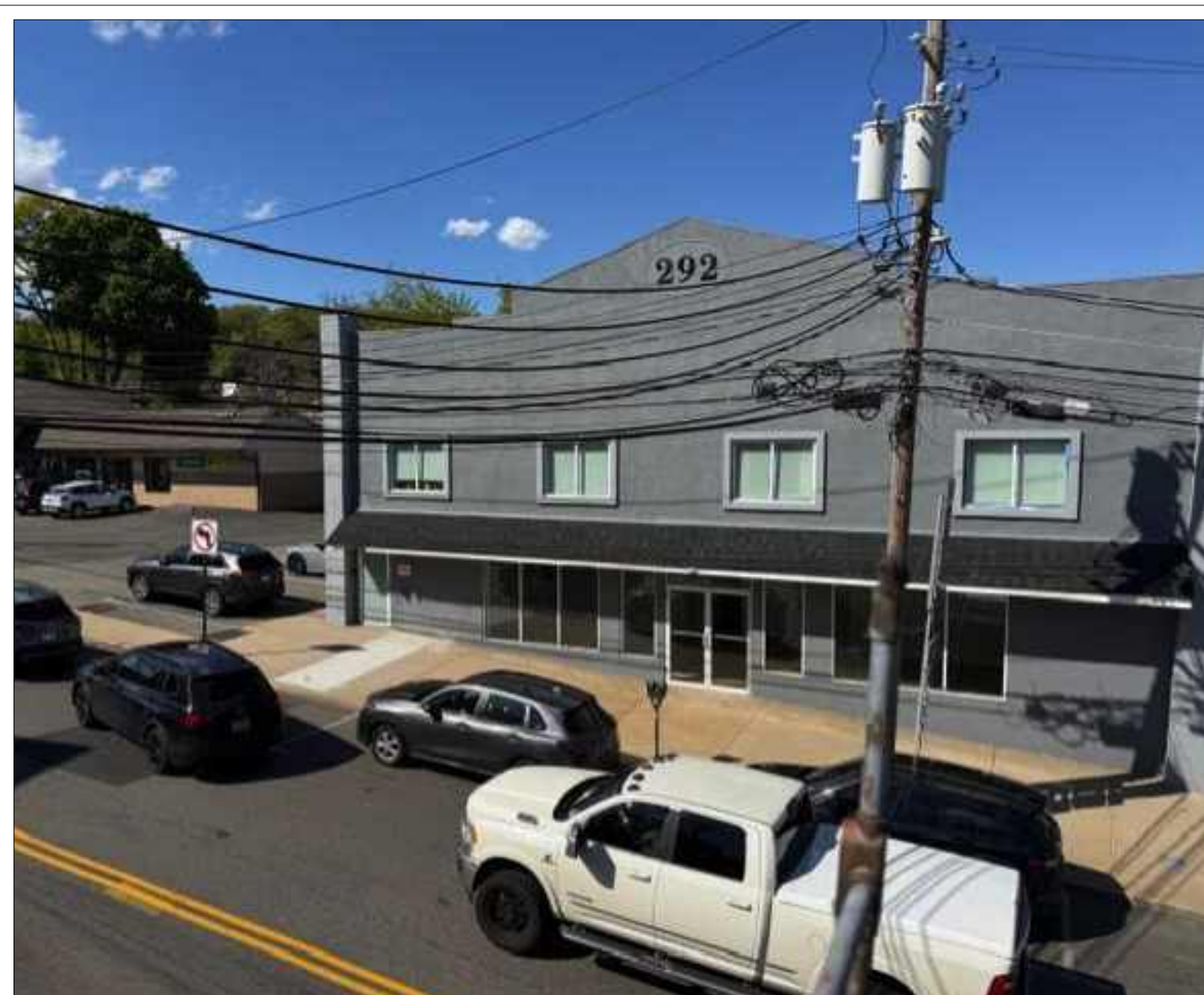
A ADJ STRUCTURE WEST (FRONT)
MAIN STREET



B ADJ STRUCTURE WEST (SIDE)
MAIN STREET



C ADJ STRUCTURE WEST (REAR)
DEPEW AVENUE



A OPP STRUCTURE NORTH (FRONT)
MAIN STREET



B OPP STRUCTURE SOUTH (FRONT)
DEPEW AVENUE



C OPP STRUCTURE SOUTH (SIDE)
DEPEW AVENUE

1 CONTEXT PHOTOS



NYS LICENSE EXPIRES NOV. 2026
ALL RIGHTS, TITLE AND INTEREST IN THE DESIGN, DRAWINGS & ANY SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE & SHALL REMAIN THE PROPERTY OF SECO | ARCHITECTURE + DESIGN, WHETHER OR NOT THE PROJECT IS COMPLETED, EXECUTED OR COMPLETED. DESIGN, DRAWINGS & SPECIFICATIONS CONTAINED IN THIS SET SHALL NOT BE MADE AVAILABLE TO OR USED BY ANY PERSON OR ENTITY, EXCEPT IN FURTHERANCE OF THIS PROJECT, WITHOUT THE PRIOR WRITTEN CONSENT OF SECO | ARCHITECTURE + DESIGN.

**NEW CONSTRUCTION @
267 MAIN STREET/248 DEPEW AVENUE**
NYACK, NEW YORK | 10960

MARK	DATE	DESCRIPTION
	12/28/2025	NYACK BUILDING DEPT.

CONTEXT PHOTOS

SCALE AS NOTED

A-002

SECO, # 2508

Nyack Parking Authority

2026-2027 budget

Account #	Account Name	Actual 2021-2022	Actual 2022-2023	Actual 2023-2024	Actual 2024-2025	Adopted 2025 - 2026	Year-To-Date Actual	Proposed 2026 - 2027	\$ Change	% Change
6	CP-0000-1710-1000	791,642.01	725,693.39	739,882.25	689,049.62	753,000.00	524,673.88	705,000.00	-48,000.00	-6.4%
7	CP-0000-1721-1000	-	29,490.00	31,860.00	29,650.00	30,000.00	26,858.00	36,000.00	6,000.00	20.0%
8	CP-0000-1721-2000	-	16,350.00	15,910.00	18,650.00	19,000.00	13,505.00	19,000.00	0.00	0.0%
9	CP-0000-1721-3000	-	8,470.00	7,780.00	6,980.00	9,000.00	4,215.00	3,500.00	-5,500.00	-61.1%
10	CP-0000-1721-4000	26,955.00	15,365.50	625.00	6,524.50	250.00	26.00	250.00	0.00	0.0%
11	CP-0000-1741-1000	112,600.21	124,600.00	115,876.00	108,802.00	115,000.00	79,460.00	105,000.00	-10,000.00	-8.7%
12	CP-0000-1741-2000	162,079.09	116,962.96	88,627.19	86,295.19	80,000.00	51,583.97	65,000.00	-15,000.00	-18.8%
13	CP-0000-1741-3000	187,393.84	445,228.60	407,707.54	360,952.80	370,000.00	337,657.15	440,000.00	70,000.00	18.9%
14	CP-0000-1789-0000	-	150.00	-	-	-	-	-	0.00	
15	CP-0000-2770-0000	25.00	550.00	-	-	-	-	-	0.00	
17	TOTAL BUDGET - REVENUE	1,280,695.15	1,482,860.45	1,408,267.98	1,306,904.11	1,376,250.00	1,037,979.00	1,373,750.00	-2,500.00	-0.2%
20	CP-1320-4000-0000	-	-	3,000.00	(3,000.00)	3,000.00	-	3,000.00	0.00	0.0%
21	CP-1650-4000-0000	4,985.40	2,467.61	2,560.72	2,173.60	2,200.00	3,406.45	6,000.00	3,800.00	172.7%
22	CP-1660-4000-0000	2,723.01	1,479.91	1,931.36	1,849.56	1,900.00	2,984.29	3,000.00	1,100.00	57.9%
23	CP-1670-4000-0000	960.17	6,491.04	60.51	323.92	6,000.00	350.34	3,000.00	-3,000.00	-50.0%
24	CP-1910-4000-0000	31,277.28	33,899.74	35,749.68	39,814.21	42,000.00	42,388.99	45,500.00	3,500.00	8.3%
25	CP-1989-4000-0000	13,587.50	58.00	100.00	59.55	100.00	741.00	400.00	300.00	300.0%
26	CP-1990-4000-0000	-	-	-	-	-	-	5,518.19	5,518.19	New Line
27	CP-3320-4000-0000	531.00	3,328.58	2,498.16	3,880.83	3,000.00	2,978.93	4,000.00	1,000.00	33.3%
28	CP-3320-4100-0000	7,093.94	9,683.16	11,072.53	12,497.37	13,500.00	9,785.71	13,500.00	0.00	0.0%
29	CP-3320-4200-0000	62,012.56	173,445.85	141,228.43	148,498.33	118,015.00	103,744.99	75,000.00	-43,015.00	-36.4%
30	CP-3320-4300-0000	68,470.08	62,507.40	90,212.40	79,363.60	85,000.00	79,193.00	110,000.00	25,000.00	29.4%
31	CP-3320-4400-0000	151,747.11	126,606.88	120,872.04	107,353.61	135,000.00	91,668.64	125,000.00	-10,000.00	-7.4%
32	CP-3320-4500-0000	29,011.50	32,207.72	23,769.70	38,421.60	27,200.00	21,719.63	30,000.00	2,800.00	10.3%
33	CP-3320-4600-0000	14,340.94	7,573.19	6,606.14	5,642.22	53,000.00	43,419.82	5,000.00	-48,000.00	-90.6%
34	CP-5650-1000-0000	223,285.18	285,575.70	280,447.00	314,955.19	340,979.00	273,603.98	360,000.00	19,021.00	5.6%
35	CP-5650-2000-0000	89,677.10	48,035.07	2,135.47	659.00	20,000.00	3,347.88	20,000.00	0.00	0.0%
36	CP-5650-4100-0000	7,040.23	14,730.41	-	-	10,000.00	-	14,750.00	4,750.00	47.5%
37	CP-5650-4200-0000	230,000.00	230,000.00	300,000.00	300,000.00	300,000.00	-	300,000.00	0.00	0.0%
38	CP-5650-4700-0000	1,778.71	1,136.77	2,448.62	5,558.89	3,350.00	810.00	1,500.00	-1,850.00	-55.2%
39	CP-5650-4701-0000	-	-	-	-	-	616.88	800.00	800.00	New Line
40	CP-5650-4702-0000	-	-	-	-	-	294.99	800.00	800.00	New Line
41	CP-5650-4703-0000	-	-	-	-	-	759.88	800.00	800.00	New Line
42	CP-9010-8000-0000	15,878.52	12,777.43	17,799.72	23,872.52	35,043.00	31,077.58	39,274.56	4,231.56	12.1%
43	CP-9030-8000-0000	17,081.30	20,806.46	22,450.38	24,049.99	26,085.00	20,930.71	27,540.00	1,455.00	5.6%
44	CP-9040-8000-0000	10,660.80	11,197.01	5,844.88	5,625.13	6,075.00	4,981.67	4,981.67	-1,093.33	-18.0%
45	CP-9045-8000-0000	287.15	941.76	471.16	558.72	900.00	706.32	950.00	50.00	5.6%
46	CP-9060-8000-0000	64,940.54	108,636.80	75,146.54	112,510.95	143,903.00	35,731.64	173,435.58	29,532.58	20.5%
48	TOTAL BUDGET - EXPENDITURES	1,047,370.02	1,193,586.49	1,146,405.44	1,224,668.79	1,376,250.00	775,243.32	1,373,750.00	-2,500.00	-0.2%
50	PROFIT/LOSS	233,325.13	289,273.96	261,862.54	82,235.32	-	262,735.68	-		

Village of Nyack - Parking

2026-2027 Budget

Account #	Account Name	2025-2026			2026-2027 Budget
		Budget	YTD Revenue	Annualized	
CP-0000-1710-1000	PARKING TICKETS reflects tickets paid - not issued	753,000.00	524,673.88	705,734.51	705,000.00
CP-0000-1721-1000	PARKING LOTS - ARTOPEE \$60 per month	30,000.00	26,858.00	37,917.18	36,000.00
CP-0000-1721-2000	PARKING LOTS - CATHERINE \$50 per month	19,000.00	13,505.00	19,065.88	19,000.00
CP-0000-1721-3000	PARKING LOTS - SPEAR \$40 per month Decreased to \$20 per month	9,000.00	4,215.00	5,950.59	3,500.00
CP-0000-1721-4000	PARKING LOTS - OTHER This line is reserved for special parking fees.	250.00	26.00	26.00	250.00
CP-0000-1741-1000	PARKING METER FEES - COIN Averaging around 9k a month	115,000.00	79,460.00	105,946.67	105,000.00
CP-0000-1741-2000	PARKING METER FEES - CREDIT CARD appears to be decreasing as more people move to the app	80,000.00	51,583.97	68,778.63	65,000.00
CP-0000-1741-3000	PARKING METER FEES - PARKMOBILE averages about 35k-38k per month	370,000.00	337,657.15	450,209.53	440,000.00
Total Revenue		1,376,250.00	1,037,979.00	1,393,628.98	1,373,750.00
CP-1320-4000-0000	Auditor: Contractual	3,000.00	0.00	-	3,000.00
CP-1650-4000-0000	Telephone / Internet internet internet handhelds cell phones	2,200.00	3,406.45	5,109.68	6,000.00
	Verizon -65 per month Optimum - 28.80 per month Verizon Wireless - 125 per month T-Mobile - 65 per month Fluent Stream - 210 per month				
CP-1660-4000-0000	Office Supplies	1,900.00	2,984.29	3,581.15	3,000.00
CP-1670-4000-0000	Printing & Mailing Copier Lease Ticket and receipt stock	6,000.00	350.34	420.41	3,000.00
CP-1910-4000-0000	Insurance Assume 7% Increase	42,000.00	42,388.99	42,388.99	45,500.00
CP-1989-4000-0000	Miscellaneous 250 for parking permits plus miscellaneous expenses Current year has towing reimbursement	100.00	741.00	741.00	400.00
CP-3320-4000-0000	Signs	3,000.00	2,978.93	2,978.93	4,000.00
CP-3320-4100-0000	Armored Car Service	13,500.00	9,785.71	11,742.85	13,500.00

Account #	Account Name	2025-2026		Annualized	2026-2027 Budget
		Budget	YTD Revenue		
CP-3320-4200-000	Credit Card Fees Gila fees 11k-12k per month	118,015.00	103,744.99	138,326.65	140,000.00
CP-3320-4300-0000	Parking app fees Parkmobile fees 8-9k per month	85,000.00	79,193.00	105,590.67	110,000.00
CP-3320-4400-0000	Revenue Collection Fees Duncan fees 10-11k per month	135,000.00	91,668.64	122,224.85	125,000.00
CP-3320-4500-0000	Meter Maintenance Flowbird 2100 per month single meter heads/meter updates - 2000	27,200.00	21,719.63	28,019.63	30,000.00
CP-3320-4600-0000	Vehicle Expense includes fuel and repairs to 2 vehicles	53,000.00	43,419.82	43,419.82	5,000.00
CP-5650-1000-0000	Parking Personnel Current rate	340,979.00	273,603.98	347,009.93	360,000.00
	MA 34.0762		84,504.85		
	JR - 33.8964		74,619.65		
	RM 53.7307		63,434.14		
	DL - 33.2278		73,187.24		
	JN - 20.00		19,110.00		
	summer help 18.00		6,336.00		
	RH 31.218 with shift di		29,220.05		
	AS - 81.61		8,567.22		
CP-5650-2000-0000	Equipment New Software Includes 40000 for new vehicle	20,000.00	3,347.88		55,000.00
CP-5650-4100-0000	Library Lease	10,000.00	0	14,750.00	14,750.00
CP-5650-4200-0000	Village Lease	300,000.00	0	300,000.00	300,000.00
CP-5650-4700-0000	Uniforms/Meal Allowance	3,350.00	810.00	810.00	1,500.00
CP-5650-4701-0000	UNIFORMS - ALLEN	-	616.88	616.88	800.00
CP-5650-4702-0000	UNIFORMS - LAGRENADE	-	294.99	294.99	800.00
CP-5650-4703-0000	UNIFORMS - RODRIGUEZ	-	759.88	759.88	800.00
CP-9010-8000-0000	Retirement Estimated Bill	35,043.00	31,077.58	31,077.58	39,274.56
CP-9030-8000-0000	Social Security / Medicare	26,085.00	20,930.71	25,914.21	27,540.00
CP-9040-8000-0000	Workers Compensation Remain the same next year	6,075.00	4,981.67	4,981.67	4,981.67
CP-9045-8000-0000	Life Insurance 78.48 per month	900.00	706.32	863.28	950.00
CP-9060-8000-0000	Medical Insurance	143,903.00	35,731.64	143,903.00	173,435.58

Account #	Account Name	2025-2026 Budget	YTD Revenue	Annualized	2026-2027 Budget
NYSHIP					
June-Dec	Jan-May				
\$ 8,865.53	\$ 9,486.12	per month			
\$ 62,058.74	\$ 47,430.61				
	NYSHIP Total	\$109,489.34			
	IBEW Premium	1,200.00			
	IBEW Contribution	45,759.12			
	Medicare Reim	\$15,520.00			
	Dental + Eye	1,467.12			
		1,376,250.00	775,243.32	1,375,526.04	1,468,231.81

May 5, 2026

Honorable Mayor and Board of Trustees
Village of Nyack
9 North Broadway
Nyack, NY 10960

Re: Professional Engineering Services

Dear Mayor and Trustees:

We look forward to our re-appointment to serve the Village of Nyack as your Engineering Consultant for the June 1, 2026, to May 31, 2027, term. We thoroughly enjoy working with the Village and look forward to continuing our good relationship for years to come.

Eve Mancuso and Devon Palmieri will continue to be your primary engineering representatives.

Attached is our updated 2026-2027 Village Consulting Fee Schedule.

Please indicate your acceptance by signing below and returning to our office at your earliest convenience. We look forward to continuing to work with you.

Very truly yours,



Weston & Sampson PE, LA, LS, Architects PC
Brian Brooker, P.E.
Vice President

Name	Title
Signature	Date

2026-2027 Fee Schedule
Nyack

<u>PERSONNEL</u>	<u>HOURLY RATE</u>
Vice President/Regional Manager	\$325.00
Principal Engineer P.E.	\$265.00
Engineer, P.E.	\$220.00
Engineer, E.I.T.	\$183.00
Construction Field Review	\$156.00
CADD Drafter/Technicians	\$145.00
Stormwater Inspector	\$114.00
Engineering Intern	\$83.00

INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: NY PLAYS GRANT APPLICATION TO FUND PLAYGROUND HILLSIDE

DATE: JUNE 11, 2026

Over the last few years, the Village has made improvements to Memorial Park, including new safety surfacing and climbing equipment at the playground. The current grant application is for \$300K, including a Village match of \$60K, in NYS funding to add more recreational facilities to the playground. This funding can only be used for playground equipment. The grant is due on June 15, 2026.

The application is largely blind to any design details, which would be developed with the help of a landscape architect and playground design consultant. Below is an AI generated image that may approximate the kind of facilities possible at this site, including three distinct ways of climbing the hillside: a boulder scramble, a rope net climber, and climbing logs.

I have shared this image to the Parks Commission and Parks Conservancy for feedback. According to Chair, Jim Willcox, “All the Parks Commissioners are very much in favor of the concept, with specific designs to be discussed and finalized.”

[SEE NEXT PAGE FOR CONCEPTUAL IMAGE]

MEMORIAL PARK – HILLSIDE PLAY CONCEPT

NATURAL PLAY. MULTIPLE ROUTES. RIVER VIEWS.

VIEWING PLATFORM
OVERLOOKS THE HUDSON.

CLIMBING LOGS
SCRAMBLE, BALANCE
AND CLIMB.

ROPE NET CLIMB
MULTIPLE SECTIONS
WITH RESTING PLATFORMS.

NATIVE PLANTINGS
PROVIDE HABITAT,
STABILIZE SLOPE
AND ADD BEAUTY.

BOULDER SCRAMBLE
CLIMB, EXPLORE
AND PLAY.



INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: ADMINISTRATIVE FEE FOR SPECIAL EVENTS

DATE: MAY 21, 2026

The Board of Trustees recently expressed a desire to set a fee on park events. The increasing frequency and complexity of organized events has created measurable staff and operational impacts that are currently borne largely by Village taxpayers. Currently there is no fee to cover the cost of administering any special event permit application, whether in a park or for a street or parking lot closure. Such fees are legal and can be set via resolution for amendments to the standard schedule of fees and amendment to village code. Fees shall be applied in a content-neutral manner based upon the nature, scale, duration, exclusivity, staffing requirements, and operational impacts of the proposed use.

This memo provides background information. It does not provide a proposed fee regime.

Costs to the village include:

1. Event permitting (communication, coordination, scheduling, board approval resolutions, etc.)
2. Event support (DPW security, parking enforcement, fire code enforcement, cleanup)

Village Code provides for cost reimbursement by event sponsors, but not for permit administration, parking enforcement or fire code enforcement.

§ 249-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PARADE or PROCESSION A recognizable group of 10 or more vehicles, or 20 or more persons not riding in vehicles, proposing to march or proceed along any public street or roadway.

SPECIAL EVENT Social festivals, celebrations or parties; street fairs, carnivals; circuses; fund-raising events; and road races (pedestrian or vehicular), which events take place on public property, or on private property open to the public, and which cause the

Village to expend municipal resources to monitor same in order to protect the public health, safety or welfare.

§ 249-4. Exceptions.

The provisions of this chapter shall not apply to:

- A. Funeral processions.
- B. Parades, processions or special events declared by resolution of the Board of Trustees to be sponsored by the Village of Nyack or as a part of official Village ceremonies.
- C. Students going to and from school classes or participating in school activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities.

§ 249-12. Payment of costs. [Amended 3-27-2014 by L.L. No. 1-2014]

The applicant shall pay the following costs incurred by the Village of Nyack as a result of a parade, procession or special event:

- A. Administrative costs in application processing: no charge.
- B. Department of Public Works: actual costs as invoiced to permittee.
- C. Parking enforcement: no charge.

Policy Context:

1. Typically, the VON charges DPW labor for street closure events, just for during the event, not for preparation, except no cost for block parties and VON sponsored events. The exclusion of parking authority labor cost means all the work putting up parking signs and getting cars cleared from the area pre-street closure is unreimbursed. The Building Dept also typically staffs street fairs with the Fire Inspector, also unreimbursed.
2. Block parties – typically the DPW has provided lightweight wooden barriers. I have recently begun including in the party planning the placement of personal vehicles to harden street closure barricades provided by DPW. Use of Meridian barriers or DPW staffed trucks would be too expensive for block party organizers to pay for. Traditionally, the village does not require insurance for block parties, as they are semi-private events. The village does not prohibit on-street parking during these closures or block driveways.
3. Memorial Park and Hez Easter Park – these events typically require little to no DPW labor. Gazebo permits do not come with a guarantee of exclusivity, ie, staffing, but this has not been a problem as the public respects permitted users’ occupancy. There is some risk of damage to facilities, such as wear and tear on grass, occasional litter, etc. Staff time for scheduling, event coordination and advice, permit review, board agenda, etc., is significant. While permits do not

provide for exclusive use of a facility, in reality the organized use of a facility does mean that it is not as open to passive use by others as it otherwise would be. Public concerns also include amplified sound (level and duration).

4. The BOT denied one permit for Memorial Park in 2025 for use by a large youth summer camp, and amended local law to provide for a more robust review of applications. From time to time, staff receive complaints about unpermitted large youth groups and respond with the support of OPD to enforce the policy of no groups without permits and no buses parking in the marina lot.
5. If the BOT wishes to create a fee schedule for special events it may want to consider the following factors:
 - a. For street closures –
 - i. Amend law to include pre-street closure parking labor, but not during the event, because ticket writing during special events can pay for parking labor; and include fire code enforcement as a cost that is reimbursable during street fairs.
 - ii. Amend law to include administrative labor for planning and permitting, and then amend the fee schedule via resolution to create an administrative fee for permit applications (\$150/event?)
 - iii. Exempt Block Parties because they are basically private events.
 - b. For park events.
 - i. Administrative fee for planning and permitting – recommend \$75/event permit application fee for groups of over 50 people, \$0 for smaller groups?
 - ii. Security deposits – require \$250 security deposit for groups of over 50 people?
 - c. Fee waivers – applicants with charitable or nonprofit projects can be expected to request fee waivers. The BOT should carefully consider the list below of typical events to ensure it is comfortable charging permit application fees to all the non-Village sponsored events (listed separately below), as it is quite difficult to waive fees without inviting allegations of favoritism. If the BOT wants to provide fee waivers, this should be developed as a consistent policy.

Permits issued in 2025

This table shows a typical annual run of park and street closure events, organized by location, 1 = memorial park, 2 = street closure, 3 = Hezekiah easter square.

1 = Mem Park		
2= Street closure		
3 = Hez	Event	Location- Event Time

Easter		
0	Gran Fondo	Piermont Rd - Gedney - -Fourth - B'way - 9W
0	Lighthouse Swim	Marina Lot 8:30AM
1	Penguin Plunge	Memorial Park 12pm - 2pm
1	July Fireworks - Music Fest	Memorial Park - Noon - 10PM
1	Hometown Heroes 9-11 event	Memorial Park - 6:30pm
1	no kings rally, Rockland Indivisible	Memorial Park 12pm - 2pm
1	easter egg hunt in memorial park	memorial park, 2-5 PM
1	modern druid event in mem park	Top Field
1	Yoga Fest	Memorial Park - lower lawn
1	Abigail Hammond Wedding	Memorial Park - gazebo
1	Nyack Arts & Crafts Walk	Upper Lawn and Hez Easter and Veterans Lot
1	Hopper outdoor art	Upper Lawn
1	Music on the Hudson Concerts	memorial park gazebo
1	various church and music events	hezekiah easter square
1	volleyball in memorial park	upper and lower lawn
1	basketball tournament in memorial park	basketball court
1	flag football group	lower lawn
1	Every Town for Gun Safety/Moms Demand Action	memorial park

1	kula for karma meditation	waterfront
1	church music community event - pastor joseph	memorial park gazebo
1	phoenix festival	upper lawn
1	congregation sons of israel ceremony by the river	waterfront
1	YMCA basketball program	basketball court
1	birthday party children	playground
1	wedding ceremony	memorial park gazebo
1	church music community event - ignite church	memorial park gazebo
1	rivertown film showing - memorial park	memorial park gazebo
1	church gospel concert - berea	memorial park gazebo
1	music for toddlers, gazebo, memorial park - sessions	memorial park gazebo
1	birthday party children	playground
1	Rockland Moms and Babies play date group	memorial park gazebo
1	Nyack HS Drama Club picnic	waterfront
1	birthday party children	playground
1	FIFA event with Jenna	Memorial park/hez easter/street closure??
1	Porchfest	Memorial Park - lower lawn
2	Memorial Day Parade	River Space parking lot - north on Franklin - east on Main - south on

2	African American Day Parade	Memorial Park - Depew, Franklin, Main St., South Broadway, Depew,
2	Fire Dept memorial procession	New st - B'way - Main - Midland - Sickles - cemetary; 9AM
2	Halloween Parade	Piermont, Broadway, Main Street
2	Back to School BBQ	
2	Salsa on Sobro	
2	Springfest	Main & Broadway (8am - 6pm)
2	Dancing in the Streets	N Broadway from Main to High Ave
2	ACADA Street Fair	Main & Broadway
2	Pride Promenade	Main & Broadway; Pride Sunday, June 9th, 11am – 5pm.
2	Pride Block Party	Franklin & Jackson Ave - close Jackson at noon / event is 5-9PM
2	Classic American Car Show	TBD - starting around 4PM
2	ACADA Street Fair	Main & Broadway
2	Chamber Street Fair - Septemberfest	Main & Broadway
2	Exotic Car Night	Main Street - downtown
2	Jazz Fest	
2	SEptemberfest street fair	
2	Blocktoberfest	Franklin Street
2	ACADA Street Fair	Main & Broadway - 8am - 6pm
2	Spirit of South Broadway	So Bro - Hudson to Gas station

2	cars and coffee	sobro parking
2	drive-in movie, artopee lot	artopee parking lot
2	hope wade dog fashion show	nobro
2	block party, summit ave	street closure
2	block party, marion st	street closure
2	block party, south mill st	street closure
3	Field & Forage LLC	Veterans Easter Square
3	Holiday Tree Lighting	Gazebo Main St - 6PM
3	league of women voters -	Veterans Easter Square
3	various musical events	Veterans Easter Square

VILLAGE SPONSORED EVENTS

A list of annual special events typically declared as “sponsored” by the VON for which no village costs are reimbursed, nor is insurance required:

Penguin Plunge
Memorial Day Parade
African American Day Parade
Fire Dept memorial procession

July Fireworks
Hometown Heroes 9- 11 event
Halloween Parade
Back to School BBQ

INTEROFFICE MEMORANDUM

TO: MAYOR RAND AND TRUSTEES

FROM: ANDY STEWART , VILLAGE ADMINISTRATOR

SUBJECT: YOUTH RECREATION PROGRAM FUNDING PROPOSAL

DATE: JUNE 11, 2026

Project summary:

Use cannabis tax revenues to underwrite coordination of a VON-branded recreation program composed of three principal parts:

1. Youth employment - liaison between Nyack youth and the county youth bureau to offer opportunities to youth and local businesses and nonprofits for county -funded summer employment at local businesses.
2. Teen leadership nyack - a program focused on career exposure and leadership development for high school students, modelled on the successful Leadership Rockland program for teens.
3. Recreation program - for middle and elementary school aged youth, focused on aligning local youth with local educational and recreational businesses offering programs for youth in the arts, crafts, music, etc. VON program will promote to diverse audience, handle registrations, and pay program hosts negotiated fees.

Focus on equity of access: program will have a scholarship budget line for families who cannot otherwise send their children. Program outreach will focus on recruiting a diverse range of participants. Differential program fees for residents/non-residents.

The overall goal of the project is to foster healthy, engaged youth, building confidence, life skills, career awareness, experiences worthy of going on a resume, and social connections, and to drive demand for local youth programming businesses and nonprofits.

Budget - from Cannabis sales tax revenues

- PT civil service title PT/20 hours/week/\$47/hour x 50 weeks – \$47,000
- PT assistant - \$16hr x 5 hrs/week x 40 weeks = \$3,500
- Scholarships for programs - 12 scholarships x \$150/pp - \$2000
- Community pass program registration and payment software - \$5000
- Food and prizes and gift cards - \$2000
- Program support fund misc - \$5000
- Promotional media print/web/FB/personal outreach to nonprofits and FRC, etc., to make sure there is equal access... \$2500

- TOTAL - \$67K/year

Program Elements

High School Students

1. Summer Youth Employment Program - Job placement through county youth bureau which pays a portion of wages and provides training. Excellent resume builder. Set a modest goal of providing job placements for 10 youth per year.. Leeanne would act as liaison to increase the impact of this program in Nyack for both students and businesses/non-profits.
2. Teen Leadership Nyack - [project notes](#) - Excellent resume builder. Inspired by Teen Leadership Rockland program model, curated locally.
<https://www.leadershiprockland.org/program-overview/teen-leadership-rockland/>
 - a. High School students, maybe include 8th graders, Max 12-15 participants.
 - b. September to June program
 - c. Career exposure to a range of professions - monthly meetings
 - d. Field trips to Fire Dept, Hopper House, water treatment plant, local businesses, etc.
 - e. Volunteer group community service project (tree planting, park bench rehab, etc.)
 - f. Graduation ceremony with Village Board of Trustees
 - g. Participate in Rockland Planning Land Use with Students

Elementary and Middle School Students

3. Recreation programming, for elementary and middle school student ages...
 - a. Recruitment of local host organizations and coaches in the arts, sports, etc.
 - b. Make calendar of program options, fee schedule for participation (negotiate with hosts for cost and program details).
 - c. Promote programs, register participants, support hosts and participants, pay hosts, administer scholarship fund.
 - d. Examples of programs to offer:
 - i. Theater - such as the Shakespeare program.
 - ii. Hiking and orienteering
 - iii. Field biology/forest and Hudson River studies
 - iv. Cooking
 - v. Sailing
 - vi. Music
 - vii. Art
 - viii. Knitting
 - ix. Yoga
 - x. CPR
 - xi. Babysitting safety

- xii. Martial arts
- xiii. Sports in the park...
 - 1. Skateboarding
 - 2. Basketball
 - 3. Kickball

High School and Middle School Students

- 4. Community service hours/credits projects. Liaison for fulfilling community service obligations by students.
 - i. Blizzard Snow shoveling - fire hydrants, sidewalks, walkways
 - 1. Ossining recreation examples
 - 2. Work with Sports teams/coaches
 - 3. Paid in pizza gift certs
 - ii. Special events support volunteers - parades, etc.
 - iii. Downtown ambassadors program?
 - iv. Pollinator gardens...
 - v. Meals on Wheels...
 - vi. Graffiti paint over
 - vii. Lamppost sticker removal
 - viii. Community garden cleanup
 - ix. Leaf raking needs
 - x. Recycling and food waste recycling promotion
 - xi. Farmers mkt...
 - xii. Parade participation and support

Future Program Growth Opportunities

- Adult participants - kickball?
- Special needs participation
- Toddler programs
- Teen career exposure intensive one week summer program - fire, police, medical, etc.

Program Leadership - Leanne Reiss

Leanne Reiss is an experienced youth recreation administrator and coordinator. She currently runs the Nyack Summer Food program and is a program coordinator with Flavor Labs, a company that delivers cooking classes to diverse settings, including municipal recreation programs, teaching about science, nutrition, health and food. She has a deep understanding of Nyack community, nonprofit and business sectors, school district and diversity of youth population and their interests and needs.

She is a founder of the first Village of Nyack recreation program, which ran from 2016 to 2020.

From: Bill Batson <wrbatson@gmail.com>

Sent: Tuesday, May 19, 2026 6:34 PM

To: Andy Stewart <Administrator@nyack.gov>; linda schultz <lschu65347@aol.com>;

Noel.schultz78@gmail.com <Noel.schultz78@gmail.com>; Nicole Hines

<hinesnicole79@yahoo.com>; Frances Pratt <fpratt1497@aol.com>; peterstevens peterstevens

<peterstevensinc@gmail.com>

Subject: Jerry Koblin Street Renaming

This email originated from outside of the organization.

Dear Andy,

The family & friends of Jerry Koblin would like to have the Park Street named for him to honor Jerry's many contributions to our community over the years.

Could you please let me know the next steps and an idea of the timing for the completion of this process.

The family is eager to have an idea of the timing so that they may contact family & friends to celebrate this meaningful experience.

Thank you for your assistance.

Bill Batson

Executive Director

Nyack Chamber of Commerce

(845) 675-3160



VILLAGE OF NYACK MEMORIAL PARK USAGE PERMIT REQUEST

Application Checklist: Please complete this agreement in full and return to the Village Clerk

- Application form complete
- Certificate of Insurance
- Liability release and rules agreements signed
- Driver's License copy

APPLICANT/LICENSEE

NAME Stacey Scott / Bridget Scott

ADDRESS 24 Gail Drive apt B

CITY Nyack STATE NY ZIP CODE 10960

DAYTIME PHONE # 845-480-9294 EMAIL: Staceface8538@gmail.com

DATE(S) REQUESTED: 7/18/26 TIME: From 3pm AM/PM to 4pm AM/PM

(Rain date: ___/___/___)

AREA(S) REQUESTED: Upper Lawn Basketball Court Waterfront Splash Pad
 Lower Lawn

GAZEBO

Description of the nature of the activity/purpose: wedding vow ceremony in Gazebo

Number of Attendees/Participants: approx 40

The Licensee acknowledges that the premises are delivered to them in good condition and that all equipment is in good working condition.

The Licensee agrees to exit Memorial Park, leaving it in the same condition as when it was received, no later than dusk on the evening of the event.

The Licensee is responsible for: The safety and conduct of all guests on the premises and any personal injuries or property damages occurring during the time that the Licensee is using the premises, including set-up before the event and during the clean-up period.

THIS LICENSE IS NOT TRANSFERABLE TO ANY OTHER PERSON OR ORGANIZATION

THE LICENSEE MAY NOT CHARGE ANY ADMISSION FEE

Agreement made this _____ day of _____, 2026 between the Village of Nyack, a Municipal Corporation with an office at 9 N. Broadway, Nyack, NY 10960 (hereinafter referred to as the "Village") and the following organization (hereinafter referred to as the "Licensee")

[Official Use Only: Do Not Write Below This Line]

Village Board Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date: ___/___/___
Signature: _____	

MEMORIAL PARK RULES AND REGULATIONS

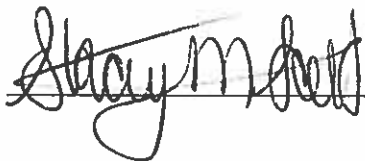
1. Use of Memorial Park shall be deemed a privilege for residents and those with approved use permits issued by the Village of Nyack via vote of the Board of Trustees. All users shall identify themselves upon the request of authorized officials. Authorization for the use of Memorial Park may be revoked at any time for violation of any part of the Memorial Park Usage Agreement. All group activities of 10 or more participants require a permit from the Village Clerk; groups of 40 or more require a permit from the Village Board of Trustees.
2. Prohibitions: No destruction or defacement of any park plant, animal, or structure; No fires or grills; No guns or other weapons; No smoking or vaping; No alcoholic beverages; No swimming; No amplified music or sound or inflatable equipment without a permit; No tents. No vending or peddling. No driving vehicles on upper or lower lawn, due to sprinkler system.
3. All gatherings will end no later than dusk, unless otherwise permitted. Garbage must be removed from the park or bagged and placed adjacent to the refuse receptacles before leaving the property.
4. Licensee must comply with all applicable laws of the Village of Nyack, County of Rockland, State of New York and the Federal Government.
5. At no point shall permitted users of the park block access by the general public to park facilities, including the gazebo, fishing pier, splash pad, playground, basketball court, picnic tables, open fields, unless specifically permitted to do so.
6. The Village, at its discretion, may impose additional requirements prior to issuance of this permit as required by the nature of the event proposed. These may include a security deposit; DPW and/or Police labor costs, etc.
7. In the event of an emergency or accident, if necessary, contact Orangetown Police at 845-359-3700 or call 911, and notify Village Hall at 845-358-0548.

****FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS "A" MISDEMEANOR
PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW****

**VIOLATIONS MAY SUBJECT A PERSON TO A FINE NOT EXCEEDING \$500.00 OR
IMPRISONMENT NOT EXCEEDING 15 DAYS OR BOTH.**

The undersigned hereby certifies that they have received, read, fully understand and agree to be bound by all applicable rules, regulations and policies. I and/or the organization I represent understand that any violation of any of these will result in denied use of the Village Facilities in the future. I and/or the organization I represent agree to pay all reasonable costs for damage and/or vandalism to the park or facilities used in relation to the event.

Signature: _____



Date: _____

6/5/20

Insurance Requirements for Use of Village Owned Property

Prior to the use of Village Property, the Licensee shall, at its sole expense, maintain the following insurance on its own behalf, and furnish to the Village of Nyack certificates of insurance evidencing same and reflecting the effective date of such coverage as follows (special event insurance available online from various businesses):

- 1) Commercial General Liability Policy, with limits of no less than \$1,000,000 Each Occurrence, \$2,000,000 Aggregate and shall cover liability arising from Bodily Injury, Property Damage, Premises, Operations, Independent Contractors, Products/Completed Operations, and Personal and Advertising Injury, Blanket Contractual including injury to subcontractors' employees and shall include coverage for:
 - A. Village of Nyack and their assigns, officers, employees, representatives and agents should be named as an "Additional Insured" placing the "Village of Nyack, 9 N. Broadway, Nyack NY 10960" on the ACORD certificate as a "Certificate Holder" and shall apply on a primary and non-contributory basis. The Certificate of Insurance to show this applies to the General Liability coverage on the certificate, and Additional Insured Endorsement shall be attached.
 - B. To the extent permitted by New York law, the Licensee waives all rights of subrogation or similar rights against Village of Nyack, assigns, officers, employees, representatives and agents.
 - C. Per Location Aggregate to be included, if applicable.

Certificates shall provide that thirty (30) days written notice prior to cancellation or expiration be given to the Village of Nyack. Policies that lapse and/or expire during the term of use shall be recertified and received by the Village of Nyack no less than thirty (30) days prior to expiration or cancellation.

Licensee acknowledges that failure to obtain such insurance on behalf of the Village of Nyack constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Village of Nyack. The failure of the Village of Nyack to object to the contents of the certificate or absence of same shall not be deemed a waiver of any and all rights held by the Village of Nyack.

The cost of furnishing the above insurance shall be borne by the Licensee.

All carriers listed in the certificates of insurance shall be A.M. Best Rated A VII or better and be licensed in the State of New York.

*Village of Nyack
9 North Broadway
Nyack NY 10960*

Indemnification and Hold Harmless Agreement

To the fullest extent permitted by law, Licensee shall indemnify, hold harmless and defend Village of Nyack, and agents and employees of any of them from and against all claims, damages, losses or expenses including but not limited to attorney's fees arising out of or resulting from the performance of the agreement, provided any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any act or omission or violation of statutory duty or regulation of the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable pursuant to the performance of the agreement. Notwithstanding the foregoing, Licensee's obligation to indemnify Village of Nyack, and agents and employees of any of them for any judgment, mediation or arbitration award shall exist to the extent caused in whole or in part by (a) negligent acts or omissions, or (b) violations of regulatory or statutory provisions of the New York State Labor Law, OSHA, or other governing rule or applicable law; by the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable in connection to such claim, damage, loss and expense. The obligation of the Licensee to indemnify any party under this paragraph shall not be limited in any manner by any limitation of the amount of insurance coverage or benefits including worker's compensation or other employee benefit acts provided by the Licensee.

Print Name: Stacey Scott Signature: Stacey Scott

Company Name (if applicable): _____

Date: 10/5/20

Please sign, date and return to:

Village of Nyack
Village Clerk's Office
9 North Broadway
Nyack, NY 10960



VILLAGE OF NYACK MEMORIAL PARK USAGE PERMIT REQUEST

Application Checklist: Please complete this agreement in full and return to the Village Clerk

Application form complete
 Liability release and rules agreements signed
 Certificate of Insurance
 Driver's License copy

APPLICANT/LICENSEE

NAME Jonnathan Cecilio Zumba Quizhpi

ADDRESS 5 Poplar st

CITY Nanuet STATE NY ZIP CODE 10954

DAYTIME PHONE # 8453704498 EMAIL: Jonnathan0422@gmail.com

DATE(S) REQUESTED: 07/17/2026 TIME: From 3:00 AM/PM to 5:00 AM/PM

(Rain date: ___/___/___)

AREA(S) REQUESTED: Upper Lawn Basketball Court Waterfront Splash Pad
 Lower Lawn

Description of the nature of the activity/purpose: I am writing to politely request a special event photography permit to host a private photoshoot. The session is for a family quinceañera and will involve a group of 30 people including the photography. Thank you.

Number of Attendees/Participants: 30

The Licensee acknowledges that the premises are delivered to them in good condition and that all equipment is in good working condition.

The Licensee agrees to exit Memorial Park, leaving it in the same condition as when it was received, no later than dusk on the evening of the event.

The Licensee is responsible for: The safety and conduct of all guests on the premises and any personal injuries or property damages occurring during the time that the Licensee is using the premises, including set-up before the event and during the clean-up period.

THIS LICENSE IS NOT TRANSFERABLE TO ANY OTHER PERSON OR ORGANIZATION

THE LICENSEE MAY NOT CHARGE ANY ADMISSION FEE

Agreement made this _____ day of _____, 20____, between the Village of Nyack, a Municipal Corporation with an office at 9 N. Broadway, Nyack, NY 10960 (hereinafter referred to as the "Village") and the following organization (hereinafter referred to as the "Licensee")

[Official Use Only: Do Not Write Below This Line]

Village Board Approved: Yes No Date: _____ / _____ / _____
Signature: _____

MEMORIAL PARK RULES AND REGULATIONS

1. Use of Memorial Park shall be deemed a privilege for residents and those with approved use permits issued by the Village of Nyack via vote of the Board of Trustees. All users shall identify themselves upon the request of authorized officials. Authorization for the use of Memorial Park may be revoked at any time for violation of any part of the Memorial Park Usage Agreement. All group activities of 10 or more participants require a permit from the Village Clerk; groups of 40 or more require a permit from the Village Board of Trustees.
2. Prohibitions: No destruction or defacement of any park plant, animal, or structure; No fires or grills; No guns or other weapons; No smoking or vaping; No alcoholic beverages; No swimming; No amplified music or sound or inflatable equipment without a permit; No tents. No vending or peddling. No driving vehicles on upper or lower lawn, due to sprinkler system.
3. All gatherings will end no later than dusk, unless otherwise permitted. Garbage must be removed from the park or bagged and placed adjacent to the refuse receptacles before leaving the property.
4. Licensee must comply with all applicable laws of the Village of Nyack, County of Rockland, State of New York and the Federal Government.
5. At no point shall permitted users of the park block access by the general public to park facilities, including the gazebo, fishing pier, splash pad, playground, basketball court, picnic tables, open fields, unless specifically permitted to do so.
6. The Village, at its discretion, may impose additional requirements prior to issuance of this permit as required by the nature of the event proposed. These may include a security deposit; DPW and/or Police labor costs, etc.
7. In the event of an emergency or accident, if necessary, contact Orangetown Police at 845-359-3700 or call 911, and notify Village Hall at 845-358-0548.

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IMPRISONMENT NOT EXCEEDING 15 DAYS OR BOTH.**

The undersigned hereby certifies that they have received, read, fully understand and agree to be bound by all applicable rules, regulations and policies. I and/or the organization I represent understand that any violation of any of these will result in denied use of the Village Facilities in the future. I and/or the organization I represent agree to pay all reasonable costs for damage and/or vandalism to the park or facilities used in relation to the event.

Signature:  _____

Date: 06/09/2026

Insurance Requirements for Use of Village Owned Property

Prior to the use of Village Property, the Licensee shall, at its sole expense, maintain the following insurance on its own behalf, and furnish to the Village of Nyack certificates of insurance evidencing same and reflecting the effective date of such coverage as follows (special event insurance available online from various businesses):

- 1) Commercial General Liability Policy, with limits of no less than \$1,000,000 Each Occurrence, \$2,000,000 Aggregate and shall cover liability arising from Bodily Injury, Property Damage, Premises, Operations, Independent Contractors, Products/Completed Operations, and Personal and Advertising Injury, Blanket Contractual including injury to subcontractors' employees and shall include coverage for:
 - A. Village of Nyack and their assigns, officers, employees, representatives and agents should be named as an "Additional Insured" placing the "Village of Nyack, 9 N. Broadway, Nyack NY 10960" on the ACORD certificate as a "Certificate Holder" and shall apply on a primary and non-contributory basis. The Certificate of Insurance to show this applies to the General Liability coverage on the certificate, and Additional Insured Endorsement shall be attached.
 - B. To the extent permitted by New York law, the Licensee waives all rights of subrogation or similar rights against Village of Nyack, assigns, officers, employees, representatives and agents.
 - C. Per Location Aggregate to be included, if applicable.

Certificates shall provide that thirty (30) days written notice prior to cancellation or expiration be given to the Village of Nyack. Policies that lapse and/or expire during the term of use shall be recertified and received by the Village of Nyack no less than thirty (30) days prior to expiration or cancellation.

Licensee acknowledges that failure to obtain such insurance on behalf of the Village of Nyack constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the Village of Nyack. The failure of the Village of Nyack to object to the contents of the certificate or absence of same shall not be deemed a waiver of any and all rights held by the Village of Nyack.

The cost of furnishing the above insurance shall be borne by the Licensee.

All carriers listed in the certificates of insurance shall be A.M. Best Rated A VII or better and be licensed in the State of New York.

*Village of Nyack
9 North Broadway
Nyack NY 10960*

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To the fullest extent permitted by law, Licensee shall indemnify, hold harmless and defend Village of Nyack, and agents and employees of any of them from and against all claims, damages, losses or expenses including but not limited to attorney's fees arising out of or resulting from the performance of the agreement, provided any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from, and (b) is caused in whole or in part by any act or omission or violation of statutory duty or regulation of the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable pursuant to the performance of the agreement. Notwithstanding the foregoing, Licensee's obligation to indemnify Village of Nyack, and agents and employees of any of them for any judgment, mediation or arbitration award shall exist to the extent caused in whole or in part by (a) negligent acts or omissions, or (b) violations of regulatory or statutory provisions of the New York State Labor Law, OSHA, or other governing rule or applicable law; by the Licensee or anyone directly or indirectly employed by it or anyone for whose acts it may be liable in connection to such claim, damage, loss and expense. The obligation of the Licensee to indemnify any party under this paragraph shall not be limited in any manner by any limitation of the amount of insurance coverage or benefits including worker's compensation or other employee benefit acts provided by the Licensee.

Print Name: Jonathan Cecilio
Zumba Quizhpi

Signature:  _____

Company Name (if applicable): _____

Date: 06/08/2026

Please sign, date and return to:

**Village of Nyack
Village Clerk's Office
9 North Broadway
Nyack, NY 10960**



VILLAGE OF NYACK MEMORIAL PARK USAGE PERMIT REQUEST

Application Checklist: Please complete this agreement in full and return to the Village Clerk

Application form complete Certificate of Insurance
 Liability release and rules agreements signed Driver's License copy

APPLICANT/LICENSEE

NAME Taramarie Profita

ADDRESS 92 Brookside Avenue

CITY Nyack STATE NY ZIP CODE 10960

DAYTIME PHONE # 347 968 7009 EMAIL: taramarieprofita@gmail.com

DATE(S) REQUESTED: 6/18/26 TIME: From 5:00 AM/PM to 9:00 AM/PM
(Rain date: 6/24/26)

AREA(S) REQUESTED: Upper Lawn Basketball Court Waterfront Splash Pad
 Lower Lawn

Description of the nature of the activity/purpose: Birthday party picnic

Number of Attendees/Participants: 16

The Licensee acknowledges that the premises are delivered to them in good condition and that all equipment is in good working condition.

The Licensee agrees to exit Memorial Park, leaving it in the same condition as when it was received. no later than dusk on the evening of the event.

The Licensee is responsible for: The safety and conduct of all guests on the premises and any personal injuries or property damages occurring during the time that the Licensee is using the premises, including set-up before the event and during the clean-up period.

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[Official Use Only: Do Not Write Below This Line]

Village Board Approved: Yes _____ No _____	Date: _____ / _____ / _____
Signature: _____	

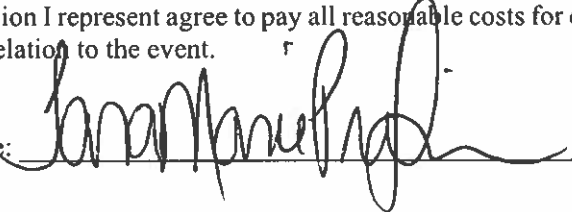
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Signature:  _____

Date: 6/4/20

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*Village of Nyack
9 North Broadway
Nyack NY 10960*

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Print Name: Taramarie Profita Signature: 

Company Name (if applicable): _____

Date: 6/4/26

Please sign, date and return to:

**Village of Nyack
Village Clerk's Office
9 North Broadway
Nyack, NY 10960**