



Village of Nyack Planning Board

VILLAGE OF NYACK
BUILDING
SEP 24 2025
DEPARTMENT
RECEIVED

September 8, 2025

Members Present:

Laura Rothschild – Chair - present
Peter Voletsky – present
Samuel Hart – present
Jennifer Knarich – present
Catherine Friesen (Alternate) - present
Taylor Light – absent

Also Present:

Dennis M. Michaels, Esq. Village Attorney - present
Manny Carmona – Building Department - absent
Bob Galvin – Village Planner - present

Meeting opened by the Chair at 7:00 PM.

Approval of June Meeting Minutes: The Chair confirmed that the Minutes of the July 7, 2025 meeting were previously distributed and approved.

Adjournments Announced: Application for 80 South Broadway was adjourned and will be continued at the October 6, 2025 Planning Board meeting at 7:00 pm in Village Hall.

Applications:

1. 80 South Broadway

Application adjourned for purposes only. Continued to October 6, 2025 meeting.

2 & 3. 292 and 294 North Midland Avenue – Site Plan Approval

Applicant: Mr. Pagano (represented by Architect Kier Levesque)

Description: Site plan review for two newly subdivided single-family residential lots.

Key Points:

Reviewed by GML and returned for local decision.

Roof leaders connected to seepage pits.

Existing retaining walls and vinyl fencing to remain.

Drainage to be reviewed and percolation tests required prior to building permit.
Demolition subject to asbestos/lead abatement and dust control.

Public Comment:

Jane Graumann lives across the street. She expressed concern about demolition dust and drainage issues.

Jeff Wright lives next door. He asked about setbacks, construction hours, building height, and timeframe.

Resolution:

Final site plan approval granted for Lots 6.1 and 6.2 with conditions. Approved unanimously.

4. 45 Route 59 – Proposed Warehouse/Showroom

Applicant: Billy Duzgund (represented by Adra Mounier, Lighthouse Architecture)

Description: New prefabricated metal building for cabinetry business (storage/showroom).

Highlights:

2/3 storage, 1/3 showroom with office/restroom.

8 parking spaces including ADA. Handicap space will be adjacent to building.

Limited deliveries via vans.

Dumpster at rear with enclosure.

Referral to ZBA required for variances.

DOT review required for curb cut. Discussion about possible change to curb cut for circulation in lot as well as landscaping and lighting. Village Arborist will review proposed landscaping.

Resolution: Application remains preliminary. Public hearing open. Continued to October 6, 2025.

5. 25 Ackerman Place & 16 Fourth Avenue – Lot Merger/Subdivision Issues

Applicants: Lara Winterkorn & Daniel Fenjves

Description: Addressing unpermitted accessory structures on subdivided lots.

Discussion included merger option or amended approvals requiring variances.

Dominick Pilla, resident, stated that this issue was the fault of the Village and they should make it right.

The Chair inquired about the uses of the structures on the property. The owner stated that her husband uses the shed as his home office. This building was put up without a permit and contains heat and air conditioning. There is no CO on this structure.

The Chair advised the property owner to seek professional legal advice on this issue.

Application remains open for October 6, 2025.

6. 128 Main Street – Restaurant Renovation & Signage

Applicants: Jonathan Hodosh & Associates Architects

Description: Revisions to previously reviewed restaurant plans.

Updates:

Outdoor seating eliminated.

Planters added for greenery. Applicant stated that a “green roof” was not feasible.

Code-compliant signage and LED lighting proposed.

Takeout window relocated with kitchen changes.

Simplified awnings with lettering only.

The Chairman clarified that entry door will be locked providing a secure vestibule.

Prior to the issuance of building permit, applicant shall demonstrate that a negative impact is not being created on the culvert and if so, he shall provide mitigation to be approved by building inspector and Village Engineer.

Resolution: Application approved with conditions on signage, lighting, and landscaping. Requested that Village Planner develop draft resolution for the Planning Board’s October 6, 2025 meeting.

7. 10 North Broadway – Supreme Leafs LLC d/b/a Aloha

Application: Special Use Permit for an adult-use recreational cannabis dispensary.

Applicant Presentation:

Representatives of Supreme Leafs LLC described the proposed operation. Online orders would be picked up in-store at a dedicated register. Pickup transactions are anticipated to take less than two minutes. Security and regulatory compliance measures were explained, including ID checks, interior storage protocols, and building security systems. The applicant emphasized their desire to be good neighbors, promote safe use, and comply fully with state and local laws.

Board Discussion:

- Concerns were raised regarding double-parking and traffic safety during pickup, particularly given the narrowness of North Broadway. Suggestions included signage discouraging double parking and coordination with enforcement.
- Window treatments and signage generated substantial discussion. The Board reviewed 15 alternative renderings provided by the applicant. Members expressed concern that options shown were not in keeping with the character of the Village. Preferences leaned toward frosted glass or alternative treatments that better reflect Nyack’s traditional aesthetics. These options were created by the applicant. The Board requested the applicant consult with a design professional and return with updated renderings informed by the Village’s context.

- The Village Attorney clarified that the application is a Type II action under SEQRA, exempt from environmental review.
- The Board Chair asked if conditional approval could be given tonight so that the applicant could begin work and come back next month after conferring with design professional on windows. Legal counsel clarified that conditional approvals cannot require further Planning Board discretionary review; aesthetic details must therefore be resolved prior to final approval.

Public Comment:

Dominick Pilla and Kal Toth, residents expressed concerns about:

- Safety issues from potential double parking during quick pickups.
- Risks of cannabis access by minors through adults purchasing on their behalf.
- Negative community impacts, including concerns about health, addiction, and public safety.
- Aesthetics and signage that could be attractive to children, which is prohibited under New York State law.
- Broader community concerns regarding increased cannabis dispensaries and their long-term effects on downtown character.

Jennifer Terranova, resident, submitted Wall Street Journal Article about Cannabis in Pueblo, Colorado for the record.

Outcome:

- The Board determined that final approval could not be granted at this meeting due to unresolved design and aesthetic concerns.
- The applicant was asked to work with their architect and/or design professional to prepare revised storefront renderings that better fit the character of the Village, taking into account both public input and Board feedback.
- The Board voted to keep the public hearing open and continue the application at the next Planning Board meeting.
- The application for 10 North Broadway was continued to October 6, 2025 at 7:00 p.m.

8. Review of local Zoning Code changes for administrative purposes only.

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 Planning Board.

Outcome:

After discussing, the Planning Board offered a favorable recommendation to the Village Board of Trustees. They asked Board Secretary to draft memo to Village Board.

Adjournment:

- There being no further business, the meeting was adjourned at 10:20 pm.

The Clerk/Secretary to the Planning Board of the Village of Nyack is hereby authorized, directed and empowered, by the Planning Board, to sign these Minutes, and to file a copy thereof in the office of the Village Clerk:


Mary Screene, Clerk/Secretary

<https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091>

The Rise and Fall of the ‘Napa Valley of Cannabis’

Pueblo, Colo., had high hopes for a legal-marijuana boom; financial troubles now plague the industry

By Julie Wernau [Follow](#) | Photographs by Jimena Peck for WSJ

March 10, 2025 9:00 pm ET

PUEBLO, Colo.—When Colorado became one of the first states to legalize recreational marijuana, an enthusiastic county commissioner here said he wanted Pueblo to become the “Napa Valley of cannabis.”

What this city imagined was that the high plains just east of the Rockies would draw marijuana lovers from around the country. A big slaughterhouse had closed years earlier, and a steel mill had been shedding workers. A cannabis boom would bring new jobs and tax revenue.

“The streets were going to be paved with gold,” recalled Carole Poysti, who raises goats on her small farm. “The elementary schools were going to be the greatest in the country.”

The day after legal recreational pot arrived in Pueblo in 2014, 50 people were camped out in front of one of the first weed shops, waiting for the doors to open, the local newspaper reported. One customer called it the new Amsterdam. The only two shops then licensed in the county rang up a combined \$1 million in sales the first month, sending \$56,000 in taxes to the county. “We’re going to have to sell more weed,” gushed the county finance director.

A decade later, Pueblo’s dreams have gone up in smoke. A once-thriving industry of retailers, growers and cannabis-oil extractors—there were more than 200 such businesses in the county in 2017—has collapsed. Only 45 remain, state records indicate. County tax revenue related to cannabis plunged from more than \$7.1 million in 2021 to \$4.8 million in 2023.



The county's once-thriving industry of retailers, growers and cannabis-oil extractors has been shrinking.

It isn't that people have stopped using marijuana, either in Pueblo, where the smell of weed is pervasive, or in the country at large. Daily use by adults 35 to 50, according to one federally funded annual survey, is at a record high nationwide.

In Pueblo and elsewhere, though, market dynamics have crippled the legal-cannabis industry. Even after legalization, illicit growers and sellers thrived in places like Pueblo, and last year they accounted for about 70% of the U.S. market, according to cannabis-market research company Whitney Economics. Those black-market dealers, unlike licensed ones, face neither taxes nor red tape.

And as more states legalize recreational sales, places like Colorado are no longer so unique. There simply haven't been enough customers to support all the legal shops. Nationwide, only 27% of legal cannabis businesses are profitable, down from 42% in 2022, according Whitney. The most actively traded fund tracking publicly traded cannabis companies recently hit a record low. Investment has dried up and restructurings are rising.

In Pueblo, sentiments about legal cannabis have swung the other way, fueling a backlash against the county's embrace of the industry. The landscape is dotted with abandoned marijuana growhouses, their roofs torn off by wind and fabric netting shredded. Real-estate agents said they can't sell empty buildings outfitted with irrigation systems and grow lights. As businesses close, marijuana entrepreneurs have appealed to the city council for exemptions from city excise taxes.

Pueblo Police Chief Chris Noeller said problems related to black-market sellers, including with cartels and gangs, have gotten worse since legalization. Many cannabis businesses have been abandoned or liquidated, he said, and a lot of the other good jobs in the county disqualify candidates who use marijuana, he said.

“Our community is just frankly getting tired of it,” he said. “I don’t think it’s just here in Pueblo.”

Mason Tvert, who led the campaign for legalization in Colorado, acknowledged that market saturation and competition from other states had hurt cannabis businesses, but said the industry was maturing, not failing.

Proponents of legalization, he said, never said it would save the economy. “People are upset that this isn’t solving all these problems that it was never intended to solve,” he said.

When the legal sale of recreational marijuana began in Colorado on Jan. 1, 2014, Pueblo had the feel of a budding boomtown. Outsiders flooded into the county looking for cannabis-industry jobs, drawn by its status as one of the least expensive places in the country, said Anne Stattelmann, who directed a homeless-services organization at the time. Some moved into an RV park with views of Pikes Peak.

Sticky Icky’s began selling cannabis in Pueblo in 2016. Its location, on a popular route from the city to Lake Pueblo, brought a nice business bump in the summer. Food trucks fed customers in the parking lot.

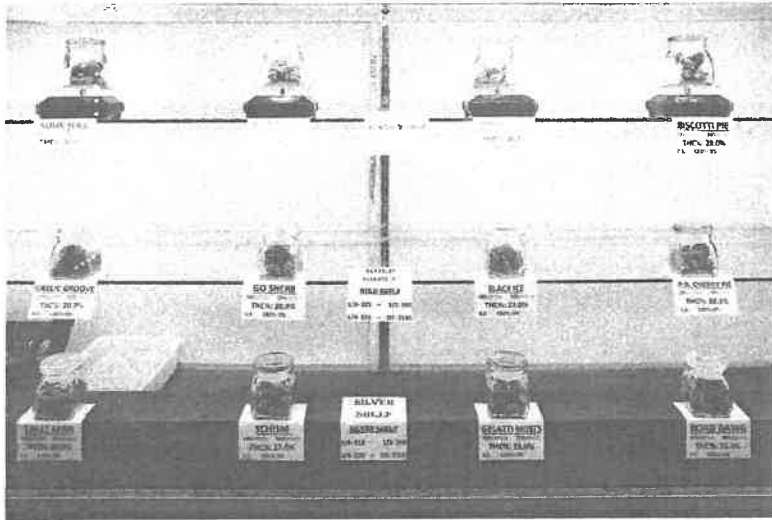
When Colorado made recreational marijuana legal, it was still illegal in all seven bordering states. But after recreational marijuana was legalized in Arizona in 2020 and New Mexico in 2021, Colorado’s cannabis businesses started struggling.

Boom to bust

As competition mounted both locally and in neighboring states, the boom times rapidly faded for Sticky Icky’s. Daily sales, which had been about \$20,000 from 2017 through 2021, plummeted to \$2,500 last year. Its staff shrank from 10 to four.

General Manager Daniel Cwik said he has watched competitors in Pueblo shut down or sell to larger chains. "We'll see who is the last one standing," he said.

One of Sticky Icky's owners, Cole Caldwell, recently sold his stake to focus on a marijuana store he and his partners opened last year in New Mexico. Taxes on marijuana there, he said, are half what they are in Pueblo.



Sales have dropped sharply at Sticky Icky's, which opened in 2016.

Colorado levies a 15% marijuana sales tax and 15% excise tax on marijuana, and Pueblo County tacks on another 5% excise tax and a 6% sales tax. Cannabis businesses in the city of Pueblo pay an additional 10% excise tax, among the highest in the state.

Higher taxes, Caldwell said, mean higher prices and losing customers to the illicit market. “Every year the state adds more and more rules,” he said.

The Colorado Marijuana Enforcement Division said it is considering proposals that would simplify rules for marijuana businesses.

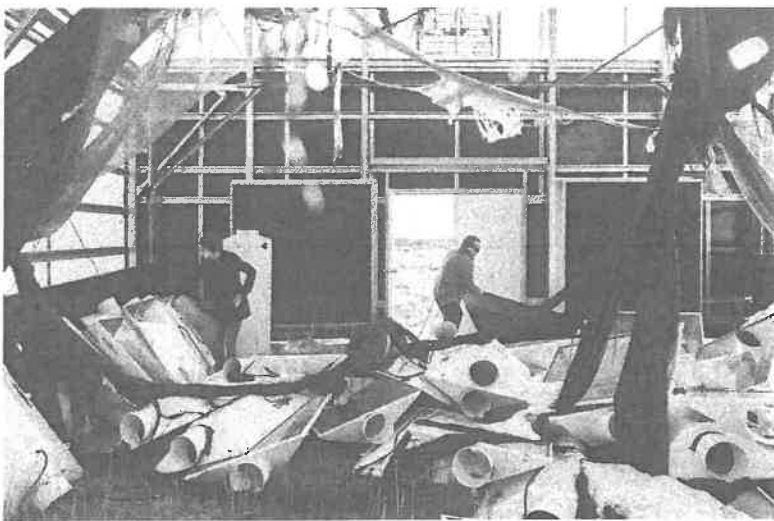
Kate Brophy started a business growing marijuana in Pueblo County in 2017. She said she sold her product wholesale for between \$1,800 and \$2,300 a pound during the pandemic, but since 2022 the price has dropped to \$230 to \$500 a pound. She said larger growers with stockpiles of marijuana flooded the market in an effort to get out while they could still break even.

Costs for utilities, nutrients, soil and taxes, however, haven't declined, she said. "It was costing more to grow a crop than it was worth on the market," she said.

Once nearby states opened up, she said, the biggest companies left Pueblo. Brophy and her partners closed up shop and are trying to avoid foreclosure after losing a few million dollars, she said.

Their efforts to sell the business and property went nowhere for more than a year, she said. They recently accepted an offer. “My Realtor has over a dozen empty grows they’re trying to move,” she said.

Summer Campbell and David Jones moved to Pueblo from Austin, Texas, in 2015 to grow marijuana. Jones said they leased land and built up a successful brand, “Goddess Gardens.”



Summer Campbell and David Jones at a property they purchased outside Pueblo. They plan to build a solar-powered marijuana farm and extraction company.

About two years ago, with the help of family, the couple bought 35 acres, where they plan to build a solar-powered marijuana farm and extraction company for producing marijuana concentrates. Disputes with a prior landlord and the county over who owned the license, Jones said, cost them time and money.

They are planning to grow 800 plants outdoors and another 1,000 indoors. In the wake of a raft of cannabis-business failures, their local power company has asked for a \$14,000 deposit, which they don’t have.

To make ends meet, Campbell took a job at Lowe’s, and Jones is painting houses. The couple sold their house and started renting.

“We are not making any money,” Jones said.

In the 12 months ended February 2023, the state's marijuana workforce shrank by 28%, the equivalent of nearly 10,500 full-time jobs, according to Vangst, a cannabis staffing platform, and there was another 16% drop the year after.



A defunct cannabis business in Pueblo County, Colo.

Tvert, now spokesman for Colorado Leads, a statewide advocacy group for cannabis businesses, said because Colorado was first, regulators and politicians added unnecessary hurdles in anticipation of problems that never emerged. The group is fighting to roll back some regulations, he said, but has faced pushback from groups who want the opposite.

Many of the county's ranchers and farmers have opposed cannabis growing operations from the start. Grow houses, they argued, were drawing water for a plant that would never grow naturally in Colorado. Growers without access to the aquifer hired trucks to haul water down unpaved roads.

Joseph Kropf, a Mennonite chicken farmer said that after a sign appeared in his yard informing him of a new grow operation next to his 50-acre property, he drove by for a look. He worried the construction and water-truck traffic would make the roads dangerous for his seven children, who bike everywhere.

Some of his fellow farmers tried to get reporters to investigate the marijuana businesses. They packed meetings of the county commissioner and liquor and marijuana licensing board.

In the end, it was the industry's downturn that pushed off their unwanted neighbors.

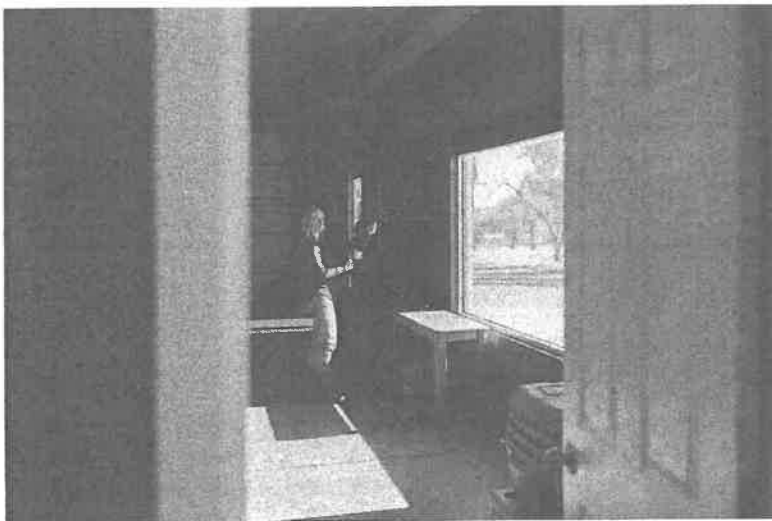
Local backlash

At this point, dissatisfaction over the boom that never came to Pueblo has spilled far beyond the weed-industry entrepreneurs now facing financial ruin. Some local officials and residents are blaming the state's cannabis push for a host of worsening social problems, including crime, homelessness and chronic cannabis use by some young people.

In November, the city gave notice to some 500 people living outdoors along the railroad tracks and the Arkansas River basin. "Their primary motivation for moving to Colorado was directly for marijuana," said Pueblo City Police Corporal Ryan Masterson. "They never left."

At Crazy Faith Ministries, founder Tammy Kainz was distributing coffee, food and other supplies one recent morning when a group of men who said they were on a traveling marijuana journey came in.

"I came up from Florida to smoke weed," said one, Donald Robinson.



Tammy Kainz, founder of Crazy Faith Ministries, provides services to Pueblo's homeless.



Donald Robinson, on right, said he came to Colorado from Florida for the marijuana.

“We all did,” said another, Mike Helgesen, who had spent part of his morning at the ministry preaching to an imaginary congregation.

Whether there is a connection between homelessness and cannabis legalization in Colorado is subject to debate. A 2018 study of more than 500 homeless inmates in the state found that about one-third of those who moved to Colorado after legalization in 2012 reported legal marijuana as a top reason for coming.

Lee Gladney, owner of Pueblo Bearing Service and a board member of the city’s downtown association, said few of the transplants were fit for work in local businesses—marijuana-related or otherwise. Cannabis use, he said, had made many of them unreliable.

A third-generation business owner, Gladney said he refuses to hire anyone he suspects of using marijuana. “If you operate heavy equipment, you just can’t have it,” he said.

After legalization, many private employers in Colorado dropped marijuana from drug screenings, Quest Diagnostics data show. Nationwide, about 75% of U.S. employers that aren’t federally required to drug test include marijuana in drug screenings, Quest said, down from nearly 100% in 2015.

Although licensed cannabis shops aren’t permitted to sell to anyone under 21 years old, several Pueblo teachers said chronic use had become a bigger problem among students. “They just want to stay home and smoke pot in their basements,” said high-school math teacher Rochelle Maes about heavy users.



Aubree Adams with a photograph of her son, who she said developed problems as a teen that she attributes to marijuana use.

Physical therapist assistant Aubree Adams said that is what she feared when legal marijuana came to Pueblo County. She said heavy cannabis use had turned one of her teenage sons violent and suicidal.

Adams, who runs a support group called Every Brain Matters for families affected by marijuana, helped collect some of the more than 5,000 signatures needed to introduce a county ballot measure in 2016 to ban marijuana businesses and sales. Some 1,300 people worked in Pueblo's marijuana industry at the time, according to an industry-funded analysis. People screamed at her and spit in her face when she was soliciting signatures, she said. The ballot measure failed.

Every day, patients arrive at the emergency department of the UCHealth's Parkview Medical Center in Pueblo with conditions brought on by cannabis, said Dr. Karen Randall, who works in the ER. Some are psychotic, a more common condition nationwide since legalization has spread.

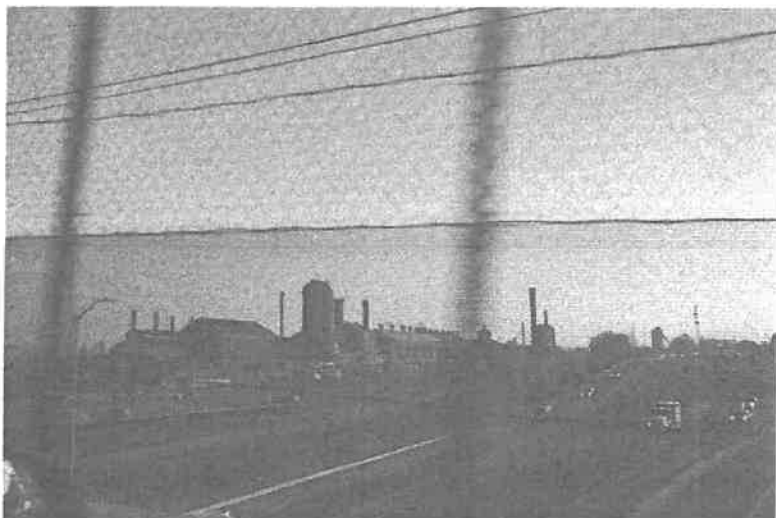
Legalization has coincided with an increase in the potency of cannabis products sold throughout the country. Now, in Colorado, some residents are asking the state to cap the

potency of cannabis sold there.

Jeff Shaw, president and chief executive of Pueblo Economic Development Corp., said when marijuana legalization happened, his group decided not to make it a focus of their efforts to bring in jobs because they never believed it would be a strong and sustainable economic engine.

Both his organization and the county government said they haven't tracked how many marijuana jobs came and went.

"The business community would say, 'I wish we could un-ring that bell,'" Shaw said of legalization. "But we can't. It just came with so many issues."



A steel mill outside Pueblo that has been shedding jobs.

Write to Julie Wernau at julie.wernau@wsj.com

Appeared in the March 12, 2025, print edition as 'The Rise and Fall Of 'Napa Valley of Cannabis'.