



Village of Nyack Planning Board



October 6, 2025

Members Present:

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

Also Present:

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

Approval of Minutes:

- Minutes from the September 8, 2025 meeting were previously distributed and approved.
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Agenda Items

Item 1: 80 South Broadway

- **Action:** Adjourned for future consideration.

Item 2: 25 Ackerman Place

- **Action:** Adjourned for future consideration.
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Item 3: 27–29 Route 59 (Taco Bell)

- **Applicant:** Matt Behrens, Attorney (Zarin-Steinmetz), Mark Petraro (JMC Engineering)
 - **Request:** Renewal of site plan and special permit.
 - **Discussion:**
 - Construction is substantially underway.
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- Major delays due to NYS DOT permitting and land transfer.
 - Exterior work largely complete; interior work ongoing.
 - DOT permit now active; frontage work expected to be completed by end of November 2025.
 - Public comment raised concerns about environmental impact, tree removal, and support for local businesses.
 - Landscaping plan includes tree replanting in spring 2026.
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- **Public comment:** Mia Rosa, resident of Central Nyack expressed concern over trees being removed, particularly a very large tree that was removed over the weekend. Feels this has negative impact on the environment and feels Taco Bell is not good for small businesses in the area. Manny Carmona states that there is a very good landscape plan for this project and that Mia is welcome to come to the Building Department to take a look at it. Sam Hart explained that some of the trees were also removed for the sidewalk project that is taking place on Upper Depew. He is concerned about the construction along with the construction going on 2 doors doors down – so much happening on Route 59 at the same time.
 - **Decision:** One-year extension granted from October 6, 2025. **Public Hearing closed.**
 - **Motion:** Jennifer Knarich makes motion to reapprove Site Plan and Special Permit. Sam Hart seconds. Approved unanimously (5-0)
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Item 4: 128 Main Street (Pal and Frank Real Estate)

- **Applicant:** Jonathan Hodosh, Architect (Hodosh and Associates)
 - **Action:** Continuation of site plan review.
 - **Discussion:**
 - Updated plans and narrative submitted.
 - Correction noted on page 2 of Resolution (public hearing date).
 - Dumpster location discussed; easement in place for shared use.
 - **Decision:** Resolution approved with correction. **Public Hearing closed.**
 - **Motion:** Sam Hart makes motion to approve the Resolution drafted by the Village Planner, Bob Galvin. Jennifer Knarich seconds. Approved unanimously (5-0).
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Item 5: 45 Route 59 (Billy Duzgun)

- **Applicant:** Adra Mounier (Lighthouse), Billy Duzgun (Owner)
 - **Project:** Cabinet and countertop storage facility with showroom.
 - **Discussion:**
 - Updates on landscaping, sidewalk addition, lighting, and trash enclosure.
 - Waiting on DOT response
 - Variances needed for rear yard and lot area.
 - No public comment.
 - Public hearing remains open.
 - **Action:** Application adjourned to November 3, 2025 meeting.
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Item 6: 10 North Broadway (Aloha)

- **Applicant:** Anija Biju of Supreme Leafs (d/b/a Aloha) represented by Attorney.
 - **Discussion:**
 - Owners engaged a design consultant and submitted additional window designs. The Chair asked applicant to affirm that submitted renderings are in compliance with OCM requirements, including that no Cannabis products, accessories and associated paraphernalia are visible from a public sidewalk, public street, right of way or any other public space. Further, the Chair had the applicant affirm that the submitted renderings show signage and lighting that are also in compliance with OCM requirements. Applicant affirmed. Chair asked applicant to consider that the Village Hall's courtroom, which accommodates the public, may have visibility into the store if the window covering does not go to the top.
 - Catherine Friesen questions why the appearance of the windows was not subject to the review or approval of any Village board, including the Planning Board. Also asks for timing of renewal of Special Permit.
 - Legal clarification was provided by Dennis Michaels, Village Attorney, opining that the Planning Board's jurisdiction is limited to 13 criteria under Village Code §360-3.2(b)(2) for Special Permit. At the meeting of September 8th, the Board reviewed and confirmed that the applicant complied with all 13 requirements.
 - Peter Voletsky feels power is being taken away from the Board.
 - Public comment raised concerns about environmental review and village oversight.
 - Hours of operation clarified:
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- Monday–Thursday: 11 AM – 9 PM
- Friday–Saturday: 11 AM – 10 PM
- Closed Sundays
- Special permit to be renewed every 2 years, starting 60 days after full NYS Cannabis Control Board licensure.

Public Comment: Dominick Pilla states that Nyack has a Special Use Permit for this particular use. He questions if the Board has taken into consideration how this adversely affects the neighborhood. He notes SEQRA has 45 Type II actions and the Board chose to look at one criteria. Unlisted Actions require a hard look. Special Permits are not automatic – the Planning Board can create criteria. Village of Nyack has no police in town, Parking Authority cannot do its job. Village Board has done a terrible job here. The Planning Board continued discussion. Dennis Michaels clarifies that this is a Type II action because it is under 4000 square feet for a commercial property and does not require SEQRA review. **Public Hearing closed.**

- **Decision:** Resolution approved with amendments (typographical corrections). Condition (f) was added (Special Use Permit be periodically renewed, by the Planning Board, every two years, with the initial two-year period to begin sixty days after the Applicant is issued a License by NYS Cannabis Control Board, which periodic renewal shall be initiated by application of the Applicant to the Village Building Department.
- **Motion:** Catherine Friesen makes motion to approve Resolution drafted by the Village Planner with additional condition as modified orally after deliberation of the Planning Board. Sam Hart seconds this. Vote is 4 in favor, 1 abstention by Peter Voletsky.

Adjournment

- **Motion to Adjourn:** Made by Sam Hart and seconded by Jennifer Knarich (5-0).
- **Meeting Adjourned:** 10:25 PM (approx.)

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