



Village of Nyack Planning Board Meeting Minutes

June 1, 2026

Members Present:

Laura Rothschild – Chair - present
Catherine Friesen (alternate) - present
Samuel Hart – present
Layla Vrabel - present
Jennifer Knarich - present

Also Present:

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

Meeting opened by the Chair at 7:00 pm and introduced everyone. Mary Screene, the Secretary, has been excused for tonight's meeting.

Minutes for the May 4, 2026 were previously distributed for review and approved.

The Chair polled the members of the Board regarding the issue of possible conflicts of interest regarding any of the applications. There were none. The Chair also announced that anyone that would like to comment on any applications tonight, other than the applicants and their representatives, will be limited to 2 minutes.

In addition, the following applications are on for adjournment until the July 6, 2026 Planning Board Meeting in Village Hall at 7:00 pm: 45 Route 59 and 53 Burd St. These will be adjourned to the July 6th Planning Board meeting at 7pm in Village Hall.

1. 32 South Franklin Street.

Mr. Ira Emanuel is the Attorney representing the applicant. He introduced the architect, Jonathan Hodosh. Mr. Emanuel proceeded to indicate that the applicant has been before the Planning Board previously. At the Planning Board meeting on April 13, 2026, the Planning Board addressed lead agency for SEQRA review and circulated a Notice of Intent for involved agencies. It was noted as an unlisted action. It did not require referral to Rockland County Planning.

Mr. Emanuel indicated that there had been a great deal of discussion on parking for this application. There was a misunderstanding with the Village Administration as to the availability for parking to be reserved. Parking for the project tenants will be the same as any

other resident on a first come first served basis and obtain a parking permit. We have found out that parking permits are not in short supply.

Mr. Emanuel continued that after meeting with the ZBA and Planning Board, the applicant has reconfigured the plans. Only changes are with the interior plans. The number of apartments has been reduced from 8 to 6 units. The parking requirement has been reduced from eight (8) to five (5) off-street parking spaces. This will still require a variance from the ZBA. The apartment units will only be on the upper levels (two units on each floor). The mix of units is 1-bedroom and 5 2-bedroom units. There will be no apartments in the basement which will only be for mechanicals and storage. The size of the apartments has been increased and now comply with the code. Second means of egress from building now provided and an accessible ramp on Applicant's property leading to the lobby. The easement on the adjacent police substation was approved by the Village Board on May 22, 2026.

The Chair asked about the requirement for commercial space on the ground floor. Mr. Emanuel indicated that the building is in the DMU-1 zone and has no existing commercial on the ground floor. This is a pre-existing use. There is no parking requirement for commercial space in the downtown.

The Chair asked about the SEQRA review. The Village Attorney indicated that due to new SEQRA amendments, the project will become a Type II action and exempt from SEQRA review. This would automatically go into effect on June 12, 2026. The Village Attorney advised that SEQRA not be addressed because it is a Type II action.

The Village Attorney indicated that the Planning Board could ask for any further information regarding the project. Otherwise, the Applicant can go forward to the ZBA for their meeting on 29th.

Sam Hart asked is there any direct access outside to the basement. The architect indicated that there is only storage in the basement with no direct access to the basement.

The Chair opened the meeting up for Public Comment.

Jill McCabe – She asked about overcrowding. There have been newspaper articles regarding the applicant's overcrowding in Clarkstown.

The Village Attorney addressed the Chair. He indicated that the Applicant's history in other communities is irrelevant to the Planning Board's review of the application before the Planning Board.

The daughter of the Property Owner – She indicated that they have hired a Management Company which tracks these issues including sublets and provide the documentation for this information.

Chair asked if there were any other public comments.

There being no other comments, the Chair indicated that public comment will remain open through July 6, 2026.

The Village Attorney indicated that the application will continue on July 6, 2026 at 7 pm in Village Hall.

2. 67 South Broadway.

Mr. Robert Silarski, Architect, representing Berea Church.

Mr. Silarski stated that the project is the historic Berea Church at the corner of South Broadway and Hudson Street. He indicated that the entry to the Church is via deteriorating brick stairs and is not handicapped accessible. The Project has grown to provide access for seniors and deal with the historic nature of the Church. The Scope of the Project extends the central part of the west façade and pull it forward approximately 5' to allow installation of an elevator to serve elderly and handicapped. The start of the stairs will be out to the sidewalk and allow 6' platform at the top of the stairs. The new stair location will create a small gathering area at the top of the stairs outside church entry doors. The façade extension will match the existing façade. The new stairs pitch will be broader than that of the existing stairs and will facilitate the entry and exit of parishioners as well as transport of coffins during funerals. Metal pipe handrails will be installed at either side of the new stair. The existing Rose window and arched top windows will be removed and reinstalled at the new façade and new doors and a transom will be installed. Interior renovations will enlarge the existing bathroom to allow the inclusion of a second lavatory and a diaper changing station.

Mr. Silarski showed the plans for the bathrooms and showed renderings to the Planning Board members. Renderings showed the historic Rose window and arched top windows on the façade.

The Chair asked if there were any guardrails or glass on the stairs, and whether the stairs are protected. The Building Inspector indicated that he would review whether it complies with the NYS Code and if not what needs to be done. The Chair also asked if there is any opportunity to plant native plants and a shade tree for the congregation before or after services.

Sam Hart also asked if there was any planting between the Church and adjacent walkway. If any plantings are possible, please add to the plans. Mr. Silarski indicated that he can try to integrate the adjacent walkway.

Catherine Friesen asked about lighting over the door. Mr. Silarski indicated that there is only one light on outside. He will take a look at it.

The Building Inspector will review for any special requirements for side of staircase and handling coffins going up the stairs. Mr. Silarski showed the Board members the plans for the staircase.

The Chair provided the SEQRA Determination reviewed by the Village Planner. This is a Type II action based on 617,5 (c) (2) *“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”* The Scope of work covers 378 sf.

Chair had the SEQRA Determination adopted by the Planning Board. Chair also requested that application be referred staff to ARB for recommendation.

The Chair opened up the meeting for Public Comment.

Mr. Keith Seard is the Church Treasurer for Berea Church. He indicated that the Church had a tree removed in the winter in connection with the removal of an Oil Tank. Mr. Strer worked with the Building Inspector on this. The Building Inspector indicated that the permit has been closed out with no issues. It was suggested that the Church do the landscaping in the spring. The Chair discussed the lighting on side and front (solar) and landscaping with native plantings and a shade tree. The shade tree would be a benefit for church members before or after services. Chair said that they could put this on a plan and provide to the Planning Board as part of the Board's site plan review.

Ms. Natalie Parasol is a long-time member of the Church. The Church started in 1966. The Church partners with many non-profits and public agencies. I appreciate the work being done by the Planning Board since I was a former County Planning Commissioner. She wanted to indicate how important it is to bring the Church Project to completion and move forward with the Church's programming. Thank you.

Mr. Silarski indicated that the retaining wall on the side which starts low and gets higher down the street. This will also be added to the plans.

The Chair reminded him that the ARB meeting is June 17, 2026.

There being no other comments, the Chair indicated that public comment will remain open through July 6, 2026.

The Village Attorney indicated that the application will continue to July 6, 2026 at 7 pm in Village Hall.

3. 11 Fourth Avenue – 2 Lot subdivision

Mr. Shenley Vital is the applicant.

The Chair indicated that Mr. Steve Knowlton, the Chair of the ZBA, wished to make a comment at the beginning of the meeting and the Applicant.

Mr. Knowlton made the following statement:

"I would like to clarify a post made by Mayor Rand concerning the public hearing the ZBA held on May 18, 2026 at which the Applicant for the 11 4th Avenue project made a presentation to the Board. The meeting was held as a result of the request by the Planning Board which was seeking some comment on SEQRA related issues from the ZBA. Mayor Rand characterized the meeting in a May 21 Face Book post on the "We Love Nyack" group noting that the ZBA, and I quote:

The bottom line is that the Board does not seem at all amenable to the current proposal. I know a lot of people feel strongly about the project, so I thought this might be helpful.

Contrary to Mayor Rand's interpretation, the ZBA did not offer any impression or evaluation of the project. Mayor Rand's post is his opinion alone. What the ZBA did was question the Applicant about his project, and raised issues to the Applicant that may be concerning to the ZBA should the Application, in its present form, come to the ZBA for formal determination. That conversation was pleasant and professional. I have confirmed that no member of the ZBA spoke with Mayor Rand at any time about this Application. The ZBA simply asked questions, raised issues and then reported back to the Planning Board in writing as requested. The ZBA's effort was simply to aid both the Planning Board and the Applicant in moving this Application through the land use process."

Mr. Vital addressed the Planning Board indicating that he is looking for a Negative Declaration for his application. He indicated that the application for (2) two-family residences should be a Neg Dec. These are not approved lots and are not Type II actions. The Village Attorney indicated that the proposed action is an unlisted action.

The Planning Board received the Draft Conditional Negative Declaration. The Planning Board has reviewed the SEQRA document. A copy of the SEQRA document was provided to the applicant at the beginning of the meeting.

The County Planning Department in their GML report recommended an alternative that maintains the proposed two lots with the construction of one single-family lot (5,000 sf) and a two-family (10,000 sf) on the second lot. Lot A is a larger lot (7,492 sf) similar in size to

adjacent properties just south on Third Avenue. Lot B is 6,120 sf and was formerly a single-family residence and adjacent to smaller non-conforming parcels along 4th Avenue. Additionally, Lot A has a height of 3 stories where 2 is permitted and 36' where 32, is permitted. This could be achieved with relatively minor area variances.

The conditions are (1) Lot B to be changed from proposed two-family to a single-family residence on 6,120 sf); (2) Lot A (7,492 sf with a reduction in height of the building from 36' to 32'.

Chair asked what the Planning Board would be required to do?

Village Planner – The Conditional Negative Declaration would need to be published in the ENB (Environmental Notice Bulletin) with a 30-day period to accept public comment. At the end of 30-day period, the Planning Board would need to evaluate comments and either confirm Conditional Neg Dec or issue Positive Dec.

Chair asked if we received ARB recommendations.

Village Planner – the application went to the ARB but a report has not been provided.

Chair asked the distance from the closest curb cut on Gedney to 4th Avenue. How many variances are required?

Village Planner – it is 22' for the minor subdivision. Checked with Village Engineer and Chief Building Inspector indicating that 22' is fine for minor subdivision. There are 8 variances.

Public Comments

Lee Taliafera– 30 Third Avenue complained about the large number of variances, congestion and doesn't know why this is needed.

Miriam Rubinton – 8 variances are too many.

Chair asked if Ms. Rubinton is an alternate on the ZBA. She indicated that she recused herself.

Vote

Chair – polled the Planning Board members regarding the Conditional Negative Declaration

Sam Hart – Not inclined to do the Conditional Neg Dec – Believes that County comment is not relevant to Nyack

Layla Vrabel –explained why in favor of Conditional Neg Dec

Catherine Friesen – Yes Conditional Neg Dec

Jennifer Knarich – abstained

Chair - yes Conditional Neg Dec

Vote:

Conditional Negative Declaration

In favor – 3

No – 1

Abstained - 1

At this point, the Board discussed proposed legislation regarding Adaptive Reuse. Please see attached memo to VBOT.

The Chair closed the meeting at 9:15 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:

Robert J. Galvin

Robert James Galvin, AICP - Village Planner