

Application of Supreme Leafs LLC d/b/a Aloha  
Property: 10 North Broadway (Sheet 66.38, Block 1, Lot 31, and DMU-1 Zone)

VILLAGE OF NYACK  
BUILDING  
OCT 06 2025  
DEPARTMENT  
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OCT 06 2025  
VILLAGE CLERK'S OFFICE

RESOLUTION  
of the  
PLANNING BOARD  
of the VILLAGE OF NYACK ("Village")

Adopted October 6, 2025

RE: Application of Supreme Leafs LLC d/b/a Aloha ("Applicant")  
Property: 10 North Broadway (66.38-1-31) in the DMU-1 Zoning District

Resolution of Approval, with Conditions, of a Special Use Permit and Site Development Plan

Background

After due discussion and deliberation, on motion by Catherine Friesen, seconded by Samuel Hart and carried, the following site development plan, and special use permit, Resolution of approval was adopted:

1. The Applicant, Supreme Leafs LLC (d/b/a Aloha), is seeking approval for an Adult-Use Retail (a/k/a recreational) Cannabis Dispensary in accord with the Applicant's Provisional License with the New York State (NYS) Office of Cannabis Management (OCM). The Adult-Use Retail Cannabis Dispensary will operate from the first floor of an existing 1,265-sf storefront facing North Broadway in the DMU-1 Zoning District. The second and third floors of the brick building are occupied by residential units. The building was built in 1886 and has a full basement which will be used for locked storage area. It was a former grocery/deli and is located approximately 200' from the intersection of Main Street and North Broadway on the south and 25' from New Street on the north. There is no adjacent accessory off-street parking lot. There are no accessory off-street parking requirements for commercial properties in the DMU-1 Zoning District. Once the Applicant is approved for a special use permit by the Planning Board, the Applicant is expected to be issued a License from the OCM.

2. Significant interior work is proposed in keeping with applicable New York State regulations. The only signage on the exterior will be the name of the business, "Aloha," which is regulated by the OCM. The cannabis dispensary will occupy the first floor. Entry will be restricted via a secure entry vestibule where identification and age will be checked before customers can enter the main sales floor. A comprehensive Security Plan has been provided in the Narrative to the Application's Special Use Permit Application.

3. The Planning Board on September 8, 2025, and upon advice of the Village Planner and the Village Attorney, determined that the proposed action is a Type II action that is not subject to environmental review under the State Environmental Quality Review Act (SEQRA). Based on the Village Code, as a Type II action, the proposed action is consistent with the Village's LWRP policies.

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4. The Planning Board opened a duly noticed public hearing on September 8, 2025, which public hearing was held open and continued on October 6, 2025, at which times all those wishing to be heard were given the opportunity to be heard.

5. The Planning Board has carefully examined the Application, the Architect's site plan and floor plan, and the Applicant's Narrative describing compliance with the OCM Provisional License and the special use permit conditions for the proposed use, including the proposed location, hours of operation, and security system compliance that will include video surveillance with data retention for a minimum of 60 days, presence of a security officer on premises, and customer identification being checked at the door for all patrons, the interior layout, odor mitigation, and disposal of waste. OCM also requires that no marijuana plants, products, accessories and associated paraphernalia shall be visible from a public sidewalk or street. The Applicant has provided several renderings for the windows, which will fulfill this requirement. The Planning Board also reviewed the Applicant's compliance with the conditions of the special use permit, and the comments and recommendations from the Village Planner and Building Inspector in Planning Board Notes dated September 8, 2025, which the Planning Board has considered.

6. The Application complies with the minimum distance requirements for schools and places of worship. The Village Zoning Code's required minimum distance from adult-use retail dispensaries is maintained at a 2,000 feet. There are no other adult-use retail dispensaries located in the DMU-1 Zoning District. There is an approved medical cannabis dispensary at 80 Main Street, which has not yet applied for a building permit from the Village's Building Department. The Application complies with the OCM guidelines, as well as the Village Zoning Code's Use-Specific requirements for the special use permit.

7. The Planning Board closed their public hearing on October 6, 2025. After closing the public hearing, the Planning Board deliberated in public on the Applicant's request for special use permit approval.

**Determination**

The Planning Board determines that, based upon the findings and reasoning set forth below, the Application for the special use permit, and site development plan, approval is hereby granted, subject to the conditions set forth below.

I. **Findings**

The Planning Board is familiar with the Property, and all aspects of the proposed action, and has considered the standards set forth in Village of Nyack's Zoning Code Chapter 360 ("Zoning Code"), Article IV (Development Standards) and §360-3.2(11) (Use-Standards), and finds that, subject to the conditions set forth below, the proposed special use permit is consistent with the operations, design and user-standards for an Adult-Use Retail Cannabis Dispensary set forth therein.

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The Planning Board has reviewed the Applicant's special use permit for the operation of a 1,265-sf Adult-Use Retail Cannabis Dispensary in an existing 1-story storefront located on the west side of North Broadway, approximately 200' to the intersection of Main Street and North Broadway on the south. The property is across from the Nyack Village Hall in the DMU-1 Zoning District. There is no adjacent accessory off-street parking lot. There are no accessory off-street parking requirements for commercial properties in the DMU-1 Zoning District. The site is designated as Section 66.38 - Block 1 – Lot 31 on the Town of Orangetown Tax Map.

A Comprehensive Security Plan has been provided by the Applicant to the Planning Board. The Applicant will be subject to the security regulations of OCM, which requires that Applicant to provide security camera surveillance and maintain data for at least 60 days. Entry to the facility will be limited to employees and customers aged 21+ with valid government issued ID. The security officer oversees implementation of all security procedures and coordinates with law enforcement if needed. Monitor premises, enforce access control, assist with incident response, and ensure customer safety. All staff must comply with security protocols and report any suspicious activity immediately. Entry and exit points must be monitored at all times by a designated security officer. Unauthorized persons (vendors, delivery staff, maintenance) must be logged in and escorted. Staff must wear ID badges and remain in authorized areas. Intrusion detection alarms must be maintained at all entry points and safes. Panic buttons must be accessible to all staff in emergencies. Any incident (theft, loitering, threats, medical emergencies) must be reported to the security officer. An incident report must be completed within 24 hours of any security event. Cash Handling/Inventory Protection - Secure cash in locked registers and safes. Limit access to authorized personnel. Authorized personnel must discreetly conduct cash pickups and deliveries. Perform daily inventory reconciliation; discrepancies must be logged and investigated.

The Applicant has provided procedures for the safe, legal and compliant handling, storage, rendering and disposal of cannabis waste in accordance with OCM regulations. Scheduled pickup with a licensed cannabis waste disposal vendor will be with BioServ. The vendor will provide Certificates of Destruction or equivalent documentation. Retain All manifests and records will be retained for a minimum of two (2) years.

The Applicant has also established procedures that ensure effective ventilation and odor control throughout the facility in compliance with OCM regulations. These measures will control the odor of marijuana so that it cannot be detected by a person with a normal sense of smell at the exterior of the store. Moreover, the dispensary will not allow any products to be consumed on the premises.

For ventilation, the dispensary will maintain adequate airflow using a commercial-grade HVAC system. The system will be equipped with activated carbon (charcoal) filters and/or HEPA filters to remove cannabis odors and particulates. The HVAC system will achieve an air exchange rate of at least 4—10 air changes per hour (ACH), based on occupancy and store layout. All exhaust air must be discharged in accordance with local codes—away from entrances, windows, or other air intake sources. For Odor Control, Carbon filtration is mandatory in all exhaust systems. Retail storage rooms and inventory areas must be ventilated separately to prevent odor migration to customer-facing areas. For Vestibule and Entry Containment - A double-door vestibule at the

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main entrance will minimize odor escape during entry/exit. This will ensure negative air pressure in storage or backroom areas to contain odors.

The Narrative provided by the Applicant addressed each of the special use permit user-standards for the conditions of the Adult-Use Retail Cannabis Dispensary. The Applicant will establish its hours of operation in compliance with the special use permit standards: from 11:00 am to 9:00 pm, Monday through Thursday; and 11:00 am to 10:00 pm, Friday and Saturday. The proposed location is in a storefront in the downtown area and does not have a drive-thru or any adjacent accessory off-street parking. The DMU-1 Zoning District does not have any accessory off-street parking requirements for commercial businesses. In addition to the Village, OCM also does not allow marijuana plants, products, accessories, and associated paraphernalia to be visible from a public sidewalk, public street or right-of-way. The Applicant has been requested to provide signage that customers shall not smoke or vape, as defined in §1399-N, Subdivision 8 and 9, of the NYS Public Health Law (including, but not limited to, smoking cannabis and vaping), in front of the dispensary.

II. Approved Plans

The following Site Plans were prepared by Mark A. Blasch, R.A. LLC for Aloha, 10 North Broadway, Nyack, New York dated 6/18/2025 unless otherwise noted and are part of the approved plans:

**Floor Plan**

A-1 - "Floor Plan" (the "Approved Plan")

**NOW, THEREFORE, BE IT RESOLVED** that this Special Use Permit, and Site Development Plan, application has been submitted by the Applicant for the operation of an Adult-Use Retail (a/k/a recreational) Cannabis Dispensary in an existing 1,265-sf storefront located at 10 North Broadway in the DMU-1 Zoning District. The facility will operate under an approved license from OCM as reflected on the set of approved plans listed above, and is hereby granted, subject to the following conditions:

- (a) The premises shall have in operation a security system approved by OCM, including alarms and surveillance cameras designed to notify law enforcement officers that a crime or disorderly person's activity is in progress. The management of the dispensary must maintain camera surveillance data backup and retain such data for a minimum of 60 days. Surveillance cameras must cover exterior entrances and adjacent sidewalks.
- (b) The Town of Orangetown Police Department shall be provided with the name and phone number of a contact person to notify regarding suspicious activity during or after operating hours. A burglarproof drop safe that regulates an employee's access to cash shall be used on the premises.

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- (c) The Applicant shall post signage inside the dispensary indicating that customers shall not smoke or vape, as defined in §1399-N, Subdivision 8 and 9, of the NYS Public Health Law within 50 feet of the dispensary entrance.
- (d) Signage, inside the store, will also clearly indicate no-double parking, no-loitering and a no-smoking zone within 50 feet of the entrance. A security officer will politely request compliance with loitering policies.
- (e) The Applicant has affirmed that their rendering is compliant 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. The Applicant further affirmed that their rendering showing signage, and lighting, is also in compliance with OCM requirements.
- (f) Pursuant to Village Code §360-5.9(B)(6), the Planning Board hereby requires that this 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 the NYS Cannabis Control Board, which periodic renewal shall be initiated by application of the Applicant to the Village Building Department.

**VOTE:**

Ayes: 4 – Catherine Friesen, Jennifer Knarich, Laura Rothschild, Samuel Hart

Nays: 0

Abstain: 1 – Peter Voletsky

Planning Board of the Village of Nyack

By:   
Laura Rothschild, Chairperson

Date: October 6, 2025