

Application of Dominick R. Pilla, PE, RA
Property: 80 South Broadway (Section 66.46, Block 1, Lot 35, and DMU-1 Zone)

**APPROVED
RESOLUTION**

Village of Nyack Planning Board
Adopted May 4, 2026

RE: Application of Dominick R. Pilla
Property: 80 South Broadway (Sheet 66.46, Block 1, Lot 39, and DMU-1)

Resolution of Site Plan

Background

After due discussion and deliberation, on motion by Catherine Friesen, seconded by Samuel Hart carried, the following resolution was adopted:

WHEREAS, on August 19, 2024, a site plan application was submitted to the Planning Board of the Village of Nyack ("Planning Board") by Dominick R. Pilla, PE, RA. ("the Applicant"), (all references to which shall include and be binding upon the Applicant's successors and/or assigns), to demolish an existing gas station and replace it with the construction of a three-story, mixed-use building. There will be a green roof with 5,095-sf installed on the roof. The courtyard is on the 3rd floor. The Green eco-roof encompasses 50% of the roof plus planting beds and a rooftop terrace. The height of the building is compliant at 40 feet. The building has a gross floor area of 23,572-sf. There will be 4 retail spaces on the ground floor containing 5,428-sf. The Parking will be in the cellar with 16 spaces and six spaces in front of the building (total of 22 spaces) all of which will be allocated to the residential units. The unit mix for the 18 apartments include: four studios, twelve 1-bedrooms and two 2-bedrooms. There are three (3) affordable rental units compliant with Chapter 120. The proposed action is a redevelopment project on a 12,000-sf property located on the west side of South Broadway, approximately 75' to the north of Cedar Hill Avenue.

The Applicant revised the original project to include significant mitigation measures as part of the Planning Board's SEQRA review. The proposed building was previously set back 38.4 feet from the front lot line. The 4th floor was eliminated and replaced with a third floor. The new three-story building creates a more cohesive and pedestrian-friendly streetscape along South Broadway. The previous tandem parking spaces have been eliminated from the garage. Moving the building also allows a 12-foot distance from the rear retaining wall. The retaining wall on the south side is now also situated 12-feet from the building with no work proposed on the retaining walls. Note on plans indicates that any work outside the subject property will need approval from the neighboring property owner. Applicant's Engineer has provided a Stormwater Management Plan. Due to the implementation of the green-eco roof and planting beds, the impervious area on the site is reduced by approximately 30%. The green roof provides enough storage and treatment to meet NYSDEC requirements. No storm drains currently exist at the site. The proposed stormwater system reduces the runoff below existing conditions. Applicant has provided a SWPPP which will be annually reviewed by DEC. A Stormwater Inspection Agreement will be filed with the Rockland County Clerk's Office as a condition of Planning Board approval.

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The lighting distribution analysis noted that there is no measurable lighting crossing the property on South Broadway. Lighting plan has been revised. The fixtures are upward-facing façade light intended to accent the building elevation. The fixture includes appropriate shielding to minimize light spill and glare and to prevent impact on the residential units above. Lighting is intentionally located with the planting beds and is designed as low-level bollard lighting to softly illuminate landscaping elements and pedestrian areas.

The underground parking garage will use a ramp leading to South Broadway. A red light/green light signal will regulate the garage entry and egress over the one way 12-foot-wide aisle leading to South Broadway. The signal will be programmed to prioritize vehicles entering the garage from South Broadway. The vehicles exiting the garage will be held within the cellar level until all inbound vehicles have cleared the garage entrance. This entails a continuous green signal on the street entry until presence is detected at the cellar level in the designated waiting bay. The cycle for exiting vehicles would be kept to a short period to reduce the chances of queuing on entry during peak phases. This operational strategy is meant to prevent blockage of the sidewalk and minimize any impediment to traffic flow along South Broadway.

Short-duration, occasional vehicle delays associated with garage access are consistent with existing traffic conditions along South Broadway, where brief pauses in traffic regularly occur due to vehicles maneuvering into and out of on-street parallel parking spaces. The Stop signs will be located at the top of the ramp and at the parking exit. A stop sign has been added at the garage exit to avoid conflict with pedestrians. A level landing is provided at the top of the parking garage ramp, adjacent to the exit. This is specifically designed to ensure clear and unobstructed sight lines to the sidewalk and South Broadway to ensure exiting vehicles have a clear view of pedestrians walking along South Broadway from a southerly direction. It remains a concern that exiting vehicles may not have a clear view of pedestrians walking along South Broadway from the northerly direction and the applicant will install mirrors and or texturing to improve visibility to the satisfaction of the Village Engineer. The flat transition area allows drivers to safely observe pedestrian and vehicular activity prior to exiting the garage. The design eliminates potential visibility constraints that could be caused by the ramp slope, thereby reducing conflicts with pedestrians and improving overall safety at the garage exit.

The Chief Building Inspector has reviewed all comments and concerns from the Nyack Joint Fire Department letters dated 2/02/2026 and 4/13/2026. He has determined that the applicant has or will comply with all concerns in accordance with the 2025 Uniform Code of NYS, see his letter dated 4/29/2026 for details.

WHEREAS, the Applicant is located at 80 South Broadway ("Property"), in the DMU-1 (Downtown Mixed Use 1 Zoning District); and

WHEREAS, the Property consists of 12,000-sf or 0.28 acres and identified on the tax maps of the Town of Orangetown as Section 66.46, Block 1, Lot 39; and

WHEREAS, a duly advertised public hearing was opened on the Application by the Planning Board on February 3, 2025 and continued on March 3, 2025, December 8, 2025, April 13, 2026 and closed on May 4, 2026, at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, after due notice to all involved and interested agencies, the Planning Board issued a Notice of Intent (NOI) to declare its intent to be Lead Agency for this unlisted action under SEQRA on February 4, 2025 and accepted a Long Form Environmental Assessment Form (LEAF)

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prepared by the Applicant with a view towards identifying the relevant potential environmental impacts that could result from the approval and development of the project, and assumed Lead Agency on March 3, 2025 to consider the proposed action's environmental impacts; and

WHEREAS, the Planning Board retained BFJ Planning to review the proposed plans and the 2014 Traffic Impact Study for the adjacent Pavion development at South Broadway and Cedar Hill intersection through 2016. The intersection would operate at level of service B. The Project's 18 units and retail are expected to generate a total of 6-8 vehicle trips during peak hours. Part of these trips would be added to the Cedar Hill intersection. It was noted that the Project would generate substantially fewer trips than the current gas station with the deli. The current site generates 96 to 111 vehicle trips during the AM and PM peak. If the deli was excluded, peak hour traffic would be 62 or 83 vehicle trips. BFJ concluded that the existing gas station/deli generates at least 10 times the amount of traffic that the proposed project would generate. Convenience and safety conditions along westerly sidewalk of South Broadway would be substantially improved. The BFJ review was provided to the Planning Board on March 13, 2025.

Approved Plans

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to and approved by the Planning Board as follows:

The architectural drawings and civil drawings and Support of Excavation Plans (SOE) were prepared by Dominick R. Pilla, PE, RA. for Mr. Tim Murray, 80 South Broadway, Nyack, New York 10960 and are part of the approved plans:

Architectural Drawings (dated 11/13/2025)

- T-001 *"Title Sheet"*
- Z-001 *"Zoning Analysis"*
- G-001 *"Building Code Analysis"*
- G-002 *"Topographic Survey"*
- A-001 *"Proposed Site Plan"*
- A-100 *"Cellar Plan"*
- A-101 *"First Floor Plan"*
- A-102 *"Second Floor Plan"*
- A-103 *"Third Floor Plan"*
- A-104 *"Roof Plan"*

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- A-200 *“East & West Elevations”*
- A-201 *“North & South Elevations”*
- A-202 *“Courtyard Elevations”*
- A-300 *“Building Section”*
- A-301 *“Building Section”*
- A-400 *“Signage”*

Civil Drawings (dated 2/10/2026)

- C-001 *“Title Sheet and General Notes”*
- C-002 *“Existing Site Survey”*
- C-100 *“Stormwater Management Plan”*
- C-101 *“Proposed Grading Plan”*
- C-102 *“Site Utility Plan”*
- C-103 *“Soil Erosion and Sediment Control Plan”*
- C-104 *“Photometric Plan”*
- C-105 *“Landscape Plan”*
- C-200 *“Stormwater Management Details”*
- C-201 *“Site Utility Details – 1”*
- C-202 *“Site Utility Details – 2”*
- C-203 *“Site Utility Details – 3”*
- C-204 *“Soil Erosion and Sediment Control Details”*

Support of Excavation Plans (SOE) (Dated 1/27/2026)

- SOE-001 *“Title”*
- SOE-002 *“General Notes”*
- SOE-100 *“Support of Excavation Plan”*

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- SOE-200 “*Soldier Pile – Lagging Elevation*”
- SOE-300 “*Sections*”

- Waterfront Assessment Form ("CAF") dated 6/11/24.
- Long Form Environmental Assessment - Part I ("EAF") dated 6/11/24.
- Long Form Environmental Assessment -Parts 2 and 3 prepared by the Village Planner for the Lead Agency, the Village of Nyack Planning Board, dated 12/16/2025 and 2/2/2026 respectively.
- Stormwater Pollution Prevention Plan (SWPPP), 80 South Broadway, Nyack, NY prepared by Dominick R. Pilla, PE January 12, 2026 and revised February 10, 2026.

Whereas, the Planning Board received and reviewed GML comments from the Rockland County Department of Planning dated January 14, 2025 and the Department of Environmental Management and Engineering, the Town of Orangetown dated January 21, 2025, and July 2, 2025 and the County Department of Health. The Town of Orangetown Planning Board indicated that the revised plans are a better fit for the location and will not require variance. All the buildings in the area are three stories. The Applicant responded to County Planning on March 18, 2025. He addressed the vehicle management system for the garage which will allow priority entry to vehicles entering. This entails a continuous green signal on the street entry until presence is detected at the cellar level in the designated waiting bay. The cycle for existing vehicles would be kept to a short period to reduce queueing on entry during peak phases.

All hazardous materials, including any underground storage tanks, will be removed in compliance with federal and NYSDEC regulations and provided information to the Building Department prior to issuance of a building permit. The proposed development complies with the applicable zoning requirements including a 20% bonus for residential use and a 0.1 FAR increase for commercial use as permitted under 360-4.14E(7). Additionally, a 10% density bonus was requested for providing affordable housing in accordance with Chapter 120–1C(13)(B). Applicant is complying with Town of Orangetown’s comments and provided sanitary calculations for the proposed project. The existing sanitary building connections and proposed connection were revised to be 8 inches in diameter. The Applicant will submit application for compliance with County Mosquito Code as well as obtaining a Multiple Dwelling Rental Certificate following the issuance of the Certificate of Occupancy. Additionally, there shall be no net increase in the peak rate of discharge from the site at all design points. Refer to Stormwater Management Plan with calculations prepared by Applicant’s Engineer dated 6/12/24. The other issues including trash removal, and native plantings have been addressed in the Applicant’s written response. The snow removal will be removed from the site by contractor as stockpiling on the structural slab is not feasible due to weight limitations and structural integrity concerns.

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Reports/Memorandums

- BFJ and Associates, *Site Review and Traffic Impact for 80 South Broadway, Nyack, NY*, March 13, 2025.
- Robert Galvin, AICP, Nyack Village Planner, *Site Plan Review, 80 South Broadway*, March 3, 2025.
- Robert Galvin, AICP, Nyack Village Planner, *Planning Board Notes, 80 South Broadway, Nyack, NY*, February 2, 2026.
- Robert Galvin, AICP, Nyack Village Planner, *Planning Board Notes, 80 South Broadway, Nyack, NY*, March 2, 2026.
- Robert Galvin, AICP, Nyack Village Planner, *Planning Board Notes, 80 South Broadway, Nyack, NY*, April 13, 2026.
- Eve Mancuso, PE, Principal Engineer, *Site Plan Review, 80 South Broadway*, January 27, 2025, Weston & Sampson, PE, LS, LA, Architects, PC.
- Eve Mancuso, PE, Principal Engineer, *Site Plan Review, 80 South Broadway*, June 13, 2025 Weston & Sampson, PE, LS, LA, Architects, PC.
- Eve Mancuso, PE, Principal Engineer, *Site Plan Review, 80 South Broadway*, December 4, 2025, Weston & Sampson, PE, LS, LA, Architects, PC.
- Eve Mancuso, PE, Principal Engineer, *Site Plan Review, 80 South Broadway*, January 24, 2026, Weston & Sampson, PE, LS, LA, Architects, PC
- Eve Mancuso, PE, Principal Engineer, *Site Plan Review, 80 South Broadway*, February 27, 2026 Weston & Sampson, PE, LS, LA, Architects, PC
- Eve Mancuso, PE, Principal Engineer, *Site Plan Review, 80 South Broadway*, May 1, 2026 Weston & Sampson, PE, LS, LA, Architects, PC
- DR Pilla, PE, *Project Narrative for Planning Board*. January 8, 2025
- DR Pilla, PE, *Stormwater Pollution Prevention Plan (SWPPP) for 80 South Broadway Nyack, NY*, issued June 12, 2024 and revised January 12, 2026 and February 10, 2026, prepared for Mr. Tim Murray, 80 South Broadway Nyack, NY 10960.
- *NRCS, Custom Soil Resource Report for Rockland County, New York for 80 S. Broadway* dated November 16, 2023.
- DR Pilla, PE, *Site Plan Review Comments and Responses to Nyack Planning Board for 80 South Broadway* dated February 13, 2025.

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- DR Pilla, PE, *Site Plan Review Comments and Responses* to Nyack Planning Board for 80 South Broadway dated March 13, 2025.
- DR Pilla, PE, *Site Plan Review Comments and Responses* to Nyack Planning Board for 80 South Broadway dated January 12, 2026.
- DR Pilla, PE, *Site Plan Review Comments and Responses* to Nyack Planning Board for 80 South Broadway dated April 10, 2026.

Correspondence

- County of Rockland Department of Planning, GML Review: 80 South Broadway, *Letter to the Village of Nyack Planning Board from Douglas Schuetz, Acting Commissioner of Planning*, February 10, 2025 and June 26, 2025.
- Department of Environmental Management and Engineering, Town of Orangetown, GML Review, *Letter to the Village of Nyack Planning Board from Joe Mendicino, PE, Engineer III*, January 21, 2025 and July 2, 2025.
- Planning Board, Town of Orangetown, GML Review, *Letter to the Village of Nyack Planning Board from Jane Slaven, RA, Director*, February 3, 2025.
- Rockland County Department of Health, GML Review: 80 South Broadway, *Letter to Village of Nyack Planning Board from Elizabeth Mello, PE, Senior Public Health Engineer, PE*, January 28, 2025.

WHEREAS, on or about December 2, 2025, having found that it was in possession of all documentation reasonably necessary to determine the environmental impact of the project, and having reviewed Parts I, II, III of the EAF, as well as various supplemental material listed above, the Planning Board adopted a Negative Declaration under SEQRA, determining that there were no adverse environmental impacts associated with the development proposal that could not be mitigated; and

WHEREAS, the Planning Board after having reviewed the Waterfront Assessment Form from the Village Planner dated June 11, 2024 determined on December 2, 2025 that the Project is consistent with the policies of the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to Chapter 342 of the Village Code; and

WHEREAS, on December 17, 2025, the Village of Nyack Architectural Review Board conducted a preliminary review of the proposed project. The Applicant will be appearing before the ARB for formal final review on May 20, 2026; and

WHEREAS, the Planning Board is familiar with the Property and all aspects of the proposed action and has considered the criteria set forth in the Village of Nyack Zoning Code and finds that subject to the conditions set forth below, the proposed site plan is

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consistent with the site plan design and development principles and standards set forth therein:

NOW, Therefore, Be It Resolved that the site plan application submitted by DR Pilla for 80 South Broadway to demolish an existing gas station and replace it with the construction of a three-story, mixed-use building 2nd and 3rd floors containing four retail spaces on the ground floor, a green eco-roof encompassing 5,095-sf or (50%) of the roof and 18 multi-family residential units and 16 parking spaces in the cellar and six parking spaces in front of the building (total of 22 spaces) all of which will be allocated to the residential units in the DMU-1 mixed use district as reflected on the approved plans listed above is hereby granted, subject to the following conditions:

- 1) The Applicant shall obtain any required state, county and local permits and approvals prior to the issuance of a building permit.
- 2) The current use of the site is a gas station, which will be demolished and replaced with the proposed structure. This will require the removal and disposal of any underground storage tanks and hazardous materials such as petroleum products in accordance with federal and NYSDEC regulations. To ensure the health and safety of construction site workers, future employees, residents, and the surrounding neighbors, air monitoring of vapors shall be conducted during the removing of petroleum storage tanks as well as soil testing prior to construction. Documentation shall be submitted by the Applicant's PE to confirm that any contaminants discovered on site have been appropriately mitigated. This shall be provided prior to the issuance of the Building Permit.
- 3) The parking garage design, layout and safe vehicular movement should be demonstrated on the site plan. The maximum slope of the ramp should conform with the most recent design standards and maximum slope of the landing area. The Applicant's Engineer shall coordinate the design with the Chief Building Inspector and Village Engineer.
- 4) The Applicant is required to provide three affordable units in compliance with the provisions of §120-1 ("Affordable Housing"). Based on the requirements of §120-1C (l)(b), the Project will provide three-below market rate units which will be comprised of two I-bedroom units.
- 5) A full Support of Excavation (SOE) with calculations will be prepared and submitted to the Chief Building Inspector and the Village Engineer as a part of the building permit review. If necessary, an access agreement may need to be negotiated between both parties as it relates to the proposed construction.
- 6) Snow accumulation will need to be removed from the site, as stockpiling on the structural slab is not feasible due to weight limitations and structural integrity concerns. Information from the applicant will be required as part of the building permit review.

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- 7) On scheduled collection days, garbage containers will be moved from the compactor room to the sidewalk/street by on-site maintenance staff to facilitate trash pickup.
- 8) The SWPPP has been prepared for review by the Village Engineer and Chief Building Inspector. A Stormwater Maintenance Agreement will be executed with the Applicant and Village of Nyack prior to the issuance of the building permit.

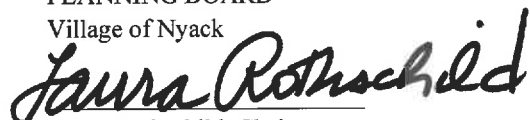
Now Be It Further Resolved That the recommendations of the Rockland County Planning Department set forth in the General Municipal Law Review letter dated January 14, 2025, have been accepted. The Applicant has made significant changes and mitigations to the original Project as indicated in the Planning Board's Negative Declaration on December 2, 2025. The application was sent to RCDOH dated and set of plans were sent to GML NYSDOT January 28, 2025. Applicant indicated that an application will be submitted to RCDOH for review and compliance with the County Mosquito Code. The Multiple Dwelling Rental Certificate will be obtained following the issuance of the Certificate of Occupancy. GML letter provided to the Town of Orangetown, Department of Environment Management. The Applicant provided sanitary calculations, sanitary connections shown on the site utility plan and proposed connection revised to be 8 inches in diameter and profile for the sanitary building connection added to the plans. Applicant shall contact F.O.G. coordinator to determine compliance with F.O.G. program. The Applicant has addressed the comments by the Planning Board, Town of Orangetown which has responded on February 3, 2025 that the project changes will not require variances and is a better fit with the other buildings in the area which are a maximum of three stories. The Planning Board has reviewed the Applicant's revised set of plans and the Applicant's Review, Comment and Response Memos which have satisfied the items specified in the Rockland County Planning Department GML letter dated January 14, 2025.

VOTE:

Ayes: 4 Nays: None

Date: May 4, 2026

PLANNING BOARD
Village of Nyack


Laura Rothschild, Chair