Village of Nyack Planning Board Meeting Minutes

November 2, 2026

Members Present:	**Also Present:**
Laura Rothschild – Chair - present	Dennis M. Michaels, Esq. Village Attorney - present
Catherine Friesen (alternate) - excused	Manny Carmona – Building Department - present
Samuel Hart – present	Bob Galvin – Village Planner – excused
Jennifer Knarich - present	
Layla Vrabel - present	

Meeting opened by the Chair at 7:00 pm and introduced everyone.

Minutes for the October 5, 2026, meeting 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 no conflicts.

In addition, the following applications are on for adjournment until the December 14, 2026, Planning Board Meeting in Village Hall at 7:00 pm: 53 Burd Street, and 11 Fourth Avenue.

1. 124 Fifth Avenue. Continuation of application for a single-family dwelling to be built on a previously subdivided lot.

Bart Rodi, Architect and property owner, reported ongoing coordination with the Village Engineer and advised that the Architectural Review Board had issued a favorable advisory recommendation, subject to using bluestone or fieldstone steps in place of paver steps. The representative stated that the revised plans would comply with the sight-distance requirements established with the earlier subdivision approval, requiring removal of an additional tree. The Engineer's remaining standard requirements included a percolation test and engineering review/design for retaining walls at or above the applicable height threshold.

The Board reviewed a draft resolution prepared by the Village Planner. The Board requested corrections and clarifications to the resolution, including accurate chronology of plan submissions (February 11, October 10, and October 22, 2026), identification of the final October 22 plans, correction of typographical errors, and clarification of the information to

be supplied to the Building Inspector. Before public comment, the Chair provided a draft resolution to a member of the public for review prior to her speaking.

The Chair opens public comment.

Nicola, a neighboring resident at 120 Fifth Avenue, expressed concern about the construction timeline and impacts on her home-based business; existing drainage and flooding; retaining walls and the proposed dry-well/percolation system; and construction trucks, school buses, traffic and possible temporary street closures on Fifth Avenue. Mr. Rodi explained the stormwater retention/detention approach, percolation testing and the intended zero-net-runoff standard. It was stated that the Village Engineer had reviewed the drainage proposal and would review the testing and final design as necessary. The applicant anticipated beginning construction in Spring 2027, with an estimated four-to-eight-month duration, subject to delays. The Board and Village representatives discussed applicable construction hours, parking and traffic enforcement, and the possibility of permits and advance signage for temporary street closures.

The Chair closes public comment.

Samuel Hart makes a motion to adopt the Village Planner's resolution dated November 2nd, 2026, with the edits discussed. Jennifer Knarich seconds the motion. Vote passed 4-0.

2. 17 North Franklin Street. Boxer Donuts. Pre-application appearance for an extension of existing outdoor dining variance to rear patio.

Eric Brown, owner of the property and business, appeared for a pre-application discussion regarding picnic-table seating behind the shop. He requested consideration of waiving the requirement for a newly prepared professional site plan because the proposed work involved no structural changes and he had received quotes of approximately $4,000 to $7,000 for professional drawings. The Board and Village representatives clarified that this was a request regarding submission materials only, not a request for site plan approval or a zoning amendment. Village Code § 360-5.4(B)(4), concerning possible waiver of certain submission requirements, was discussed.

The Board reviewed the applicant's annotated survey and discussed setbacks, a required buffer from nearby residential zoning, possible Zoning Board of Appeals variances, outdoor seating hours and noise, fencing and landscaping, and the potential relocation of bicycle racks to an area currently used for parking. Members noted that any variance would run with the property and that future uses would require review under applicable zoning provisions. The Building Inspector explained that a variance appeared necessary regardless of whether the number of tables was reduced because of the residential-district buffer requirement.

Several members considered the submitted materials potentially sufficient for preliminary Planning Board review, but expressed concern that the Zoning Board of Appeals might require a professional plan to evaluate the requested variance. No waiver or site plan approval was granted. The applicant was advised to seek a Zoning Board pre-application meeting to determine what documentation that Board would require before proceeding with a formal application. The Secretary indicated that the Planning Board Minutes could be provided to the Zoning Board. The applicant was unavailable for the November 30 meeting; January 25 was identified as the next available Zoning Board meeting date after the December break. Because this was a pre-application discussion rather than a pending formal application, no adjournment was taken.

3. **The Planning Board was asked by the Village Board of Trustees to review a local law amending the Zoning Code of the Village of Nyack, imposing and establishing a temporary moratorium, so as to suspend land use board approvals, issuance of building permits and the processing of same, within the Route 59 Corridor.**

Members discussed the purpose of avoiding conflicts between pending land-use applications and potential zoning changes, the anticipated limited duration, exemptions, and the availability of hardship-waiver requests to the Village Board of Trustees. Samuel Hart expressed opposition to the moratorium, citing burdens and uncertainty for property owners who had invested in project planning. Other members spoke in support of the proposed measure or had no objection. The Board recommended edits to the draft law which can be seen in the attached memo.

Jennifer Knarich makes a motion to approve the moratorium. Layla Vrabel seconds this motion. Vote in favor 3-1.

The Chair closed the meeting at 8:15 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:

Mary Screene

Mary Screene, Secretary

Village of Nyack Planning Board

November 10, 2026

TO: Village of Nyack Board of Trustees

FROM: Village of Nyack Planning Board

CC: Village Attorney, Village Planner, Chief Building Inspector

RE: Submission of advisory opinion/recommendation regarding proposed Local Law to establish a temporary moratorium, so as to suspend land use board approvals, issuance of building permits and the processing of same, within the Route 59 corridor.

The following was discussed at the November 2nd, 2026, Village of Nyack Planning Board meeting:

In response to the Village Board of Trustees's request for an advisory opinion/recommendation, regarding the above-mentioned proposed amendment to the Zoning Code, the Planning Board offers the following comments:

- The Planning Board advises that in Section 3, paragraph A, you also include Town of Clarkstown Tax Map parcels.
- On page 7, the Planning Board feels that "for sale" should be removed from the 32 Route 59 parcel unless you list all that are for sale in that corridor.
- The Planning Board would like to see a paragraph added stating that "In connection with the drafting of the Comprehensive Plan, there will be opportunity for public participation through public workshops during the comprehensive planning process."
- 3 Planning Board members are in favor of said moratorium, 1 member opposed.

Sincerely,
Village of Nyack Planning Board
Mary Screene, Secretary to Land Use Boards