

**DRAFT**  
**Planning Board Meeting Minutes**  
**April 14, 2026**  
**8:00 p.m.**

**PRESENT:** Rob Luntz  
John Ghegan  
Geoffrey Haynes  
Steve Krisky  
Eva Thaddeus

**ALSO PRESENT:** Vincent Salanitro, P.E., Village Engineer  
Jeannette Koster, Village Attorney  
Bill Brady, AIPC Nelson Pope Voorhis  
Len Simon, Village Board Trustee & Planning Board Liaison  
Stacey Nachtaler, Village Board Trustee & Planning Board Liaison

**1. CALL TO ORDER**

Chairman Luntz called the Planning Board meeting of April 14, 2026, to order at 8:00 p.m.

**2. NEW BUSINESS**

- a) *Weiss, Micci, Attorney for Best Dispensary Near Me - 370 South Riverside Ave. (79.13-1-70) - Application for Change of Use from Retail to Cannabis Retail Dispensary*

Chairman Luntz opened the meeting by introducing Village Attorney Jeannette Koster and asking her to address the audience to explain what the Planning Board can and cannot do regarding this application. Chairman Luntz stated that the Planning Board reviewed and appreciated all the correspondence that was sent in regarding this application. Chairman Luntz set some ground rules that everyone would listen to the applicant, and even though this is not a public hearing, the public would have an opportunity to speak.

Jeannette Koster said that what is before the Planning Board tonight is a minor site plan application for a change of use from a deli to a cannabis dispensary. Ms. Koster continued that the Village opted into or did not opt out of New York State's cannabis law. The Village did opt out of allowing (cannabis) consumption on site, so the applicant is permitted to open this business, as long as they meet the State's distance requirements. The distance requirements that are in question here pertain to schools and facilities that are governed by and subject to the state's education laws. Ms. Koster continued that the daycare center near the proposed dispensary is not governed by the state department of education, and therefore, its proximity to this site cannot be considered by the Planning Board as a reason to deny the application. Ms. Kostner said that the Planning Board is limited to time, place and manner restrictions, and subjects that the Planning Board will be considering are parking, and trash disposal, and other things routinely considered for retail use.

The applicant's attorney, Micci Weiss of Micci J. Weiss Law spoke on behalf of the applicant, Best Dispensary Near Me, Bay Street, LLC doing business as Mindset Cannabis Shop. Micci Weiss stated that the proposed use will be continued use for retail purposes, transitioning from existing retail convenience store to state licensed, adult use cannabis retail dispensary. The underlying zoning classification remains retail, and no exterior site changes are proposed. The building footprint, access points and parking configuration will remain unchanged. The space is approximately 1,650 square feet, and Micci Weiss' understanding was that there were eleven existing parking spaces, with six for the retail store. Micci Weiss spoke to the Village Manager who said that the applicants could request parking

permits for a lot on Benedict Boulevard, and if necessary, they would obtain parking passes for the train station to satisfy the requirement of nine parking spaces.

Micci Weiss went on to say that the proposed cannabis shop is expected to generate fewer daily customer visits than the existing convenience store, both of which involve short term trips. By report, the existing convenience store reports approximately 250 customers per day, who spend about 10 minutes in the store, while the cannabis shop expects an average of 125 customers per day who will spend about five minutes in the store. The cannabis shop will be open seven days a week, and they are proposing the hours of 9:30 a.m. – 9:30 p.m., which Micci Weiss believes are within the Village code's hours of operation.

Micci Weiss stated that there will be security cameras inside and outside of the cannabis shop and the camera footage is kept for a minimum of 60 days, and they will have a backup generator. The cameras will always be active, and the Croton Police can have any access to the cameras that they want.

Anyone coming into the cannabis shop must be 21 years old and will need to show identification, no exceptions. Identification is checked again before a purchase is made, because that is best practice. All products come prepackaged, so there is no way to overserve someone. There is no consumption allowed on premises. Customers are not allowed to open a product on premises. The packaging is discreet. If someone leaves the store and litters, the applicants believe that they will see it on the cameras and address the situation. The applicant says that they have been doing this for a while at a similar operation in Tarrytown where they have had a cannabis shop for about a year and have not had any issues and have not had complaints. The applicants submitted a recommendation from the Chief of Police in Tarrytown.

The applicants believe that the existing lighting is sufficient for their use. Trash will be handled the same as it is now and they do not dispose of any cannabis waste. If someone returns a defective product, it is shipped back to the supplier, so there is very little waste generated by this shop. There will be a few deliveries each week to the store, and the largest delivery vehicle will be a sprinter van. The products are delivered in plastic tote bags. Product delivery will come through the back door. The applicants will try to have deliveries come before the store opens at 9:30 a.m.

There was some discussion back and forth about how many parking spaces are marked for the existing convenience store, and how many for the residents who also live in the building. It was also noted that there should be one handicapped parking spot. Attorney Micci Weiss said that most of the employees will take the train to work, and if an employee drives, they can park at the train station. The attorney also stated that they track how long customers are in the store, and it is usually for less than five minutes. The attorney asked for a rendering of the shop to be shown and stated that it is "high end," no neon signs. Micci Weiss said that they will do what they must to satisfy the parking requirements so there are no problems for other businesses, and says that some existing businesses are happy to have them come to bring more people in.

There will be no curb-side pickup, or delivery services offered. Customers can preorder, and there is a pickup window inside the shop. The attorney stated that this was not the applicant's first store and it will be run like an advanced, mature retail operation.

Regarding a grand opening, the applicants are fine not to have one, but they think not having one may hurt their business. They will proceed with the grand opening however the Village wants them to.

Architect Arlenis Dominguez went over the plans that were submitted, noting that the entry will stay the same, identified the sales floor with displays, rear of store with a walk-in freezer, toilet room and kitchenette. Arlenis Dominguez pointed out the back of the house where the product will be kept, identified the new lighting, security cameras, and additional construction details. Geoff Haynes asked about the check-in counter and how the applicants would deal with many people coming in at the same time, as the Planning Board would like to avoid having lines outside. Again, the attorney stressed that

they pride themselves on getting people in and out, and that the machine that reads the IDs gives an instant reading, and there is room for people to line up inside to have their ID scanned, and store employees are trained to move people in and out. Eva Thaddeus asked how they came up with the estimate of 125 customers per day and the attorney said that the cannabis program is now more mature in New York, but they expect a slow build and the goal is to get up to 125 customers per day. The applicants were asked if there were “peak” times that could be potentially busier and they said that their peak times would be from 4:00 p.m. – 7:00 p.m., but the applicants again said that they have four kiosks, can handle the flow, and move quickly. The applicants said that if, for some reason, they were super busy, they could implement a text messaging system, like restaurants, so that they can text people when they are less busy.

Steve Krisky asked if there was flexibility in the proposed hours and the applicants replied by asking what was allowed in the Village code. The applicants would like to be open from 9:30 a.m. – 9:30 p.m., but stated if no one was coming in later, they would not continue with those times. John Ghegan asked if people could make appointments, but the applicant replied that they are not a medical dispensary, so they do not do that. The applicants said they sell cannabis in various forms, edibles, pre-rolled, topicals, concentrates, pens, drinks, anything that is legally allowed. Customers can pay by cash, credit card, text to pay and they will have an ATM machine on site. An armored car will come once a week to pick up cash. John Ghegan suggested that the applicants check out the roof of the building next door, and the applicants do not believe that the roof will affect their operations.

All deliveries and cash pickups will go through the rear door of the business. Geoff Haynes asked about the status of the applicant’s license, and the Micci Weiss stated that the Office of Cannabis Management has told them that they meet all of the necessary criteria, and that approval from the Office of Cannabis Management and the Village are on a parallel path, so once Village approvals are received, the Office of Cannabis Management will need to perform inspections.

Geoff Haynes asked how many employees would be on premises, and the applicant answered that they can run with as few as two in the morning time, and three at peak time. The applicants expect that they will not be up to “peak” for at least the first month. Vincent Silvestri, of Best Dispensary Near Me spoke and said that he would be the person running the shop. Vincent Silvestri went through a typical transaction for someone coming to the store but noted that new customers may spend a little more time than regular customers, who typically know what they want. Vincent Silvestri said that he has been visiting Croton a lot and, from what he can see, parking is adequate and will not be a problem.

Geoff Haynes said that signage is important to the Planning Board and would be interested to see the proposed sign permit application. John Ghegan asked about the certificate of occupancy for the building, and the applicant believes that there is one. Village Engineer Vincent Salanitro said that there is currently a temporary certificate of occupancy for the apartments that are also present in this mixed-use building. John Ghegan suggested some improved signage advising customers that when you back out of the parking spaces on Benedict Boulevard, it is a one-way street and suggested that this improved signage be added to the resolution as a condition of approval. Chairman Luntz agreed that the parking area needs to be labeled properly and cleaned up. The applicant’s attorney said that they will restripe the parking area and ensure that spots are labeled appropriately.

John Ghegan also asked how the prices would be displayed and the applicant’s attorney said that the prices would be listed online and in the store. There will not be a metal detector. Lastly, John Ghegan noted that there is a Fire House on the corner and there can be no double parking.

Chairman Luntz, for the benefit of the audience members present, stated that the Village Manager spent some time with the applicants exploring alternate locations for this cannabis shop, anticipating that this location may be controversial. Attorney Micci Weiss said that he and his clients searched throughout the Village, knocking on doors of existing businesses, inquiring if they could buy them out. The last spot they came to was this convenience store, where the owner agreed to make a deal. Once they had a deal with

the deli owner, the applicants got everything together to submit a municipal notification form to the Village, then wait 30 days to submit to the Office of Cannabis Management. Once they submitted to the Office of Cannabis Management, there was some back and forth about the daycare facility until site proximity protection was granted, then they filed for building permits in October. After they filed the building permits, they went back again to existing businesses to try to find an alternate location, they were trying for the deli on Croton Point Ave., but with no luck. The applicants went on to say that they plan to be the best partners for the Village that they can be.

Chairman Luntz asked the applicants to explain their proximity to the Chapel on Benedict Boulevard, as it is 200 feet, door to door, and the applicants said that there is a state requirement in terms of proximity to churches, so if they did not meet this, they would not get state approval, which they did get. Steve Krisky asked about a law before state legislature, which has not passed, but would include proximity to day care centers and churches and the applicants said that it would not pass, and if it did pass, it would not be retroactive, and if it passed, 80% of the dispensaries in the five boroughs would close.

Chairman Luntz invited comments from the audience:

Halil Odabas of 58 Benedict Blvd spoke and said that he lives across the street and has concerns about people using products that they buy in this store near his home. Mr. Odabas believes that it will cost the Village more money than the store brings in for additional police presence.

Brian Cook of 52 Truesdale Drive spoke and said that the products sold in this shop will have a higher dollar value than items that were sold at the convenience store and has security concerns. The fact that there is a daycare across the street should raise the security concerns, according to Brian Cook, who also is concerned about the Blaze that is held in Croton every year from August – November. Brian Cook told the applicants that they are not wanted here.

Chris Roose of 55 Truesdale Drive spoke and brought up three points, the first being that this business will have black out windows, and age restrictions, giving off a different feel from existing businesses, more like a strip club or casino. Chris Roose thought that the Village deserved some grace here, as they believed that this spot would not be approved by the state due to the daycare, but thinks that the Village should have asked for public comment sooner.

Drew Maniglia at 60 Hastings Ave. wanted to focus on the suitability of the location, noting that it shop is proposed to go in the biggest intersection in town, and it is the way that a lot of people get to the train station. Drew Maniglia feels that increased traffic at this critical intersection, which is residential, is ill-suited and should be more about walkability and bike ability.

Susan Skrelja of 56 Truesdale Drive read a prepared statement saying that gun shops, strip clubs and gambling facilities, like this cannabis dispensary, are legal, but not appropriate for a Village this size. Susan Skrelja believes that the Village Board should have opted out from having these types of businesses, and that the Village failed to protect us and protect the character of the Village.

Drew Gamils of 34 Young Ave. spoke and wanted to focus her comment on site proximity protections. She stated that Happy Hearts offers universal Public Pre-K, which is regulated by education law. Drew Gamils believes there is some ambiguity with the law and believes that the Office of Cannabis Management has been all over the place and may have gotten things wrong with this application.

Cathy Connolly of 80 Young Ave. wanted to strongly urge the Planning Board to deny the marijuana dispensary at this location as it serves as a primary entryway into the Village and sets the tone for the community. More importantly, Cathy Connolly pointed out that this location is in close proximity to the Chapel playground, where young children play basketball. Cathy Connolly has had to either approach or call the police on grown men drinking in the chapel and thinks that it is naïve to think that people are going to walk up from parking at ShopRite, versus parking closer to the dispensary.

Dennis Kooney of 69 Young Avenue spoke next and noted that if the applicants had to go to so many establishments for their business, that should tell you something. Dennis Kooney believes that someone should look into Happy Heart's licensure, and that there are a lot of unanswered questions with this application and would like to postpone any decision from being made this evening, so taxpayers don't have to pay for litigation in the future.

Dan Calandro of 1 Briggs Lane spoke next and said that he does not take marijuana, because of his job, he has been to dispensaries that are nicer than doctor's offices. Dan Calandro is not worried about people smoking outside the dispensary. Dan Calandro says that he goes to the current convenience store, DB Market and thinks that there will be less traffic from the cannabis shop.

Riley Moeller spoke next. He is a Village resident and business owner, raising two kids in the Village. Riley Moeller owns the bike shop two doors down from this proposed business, and he feels that it is a parent's responsibility to teach their children what is best for them. Riley Moeller noted that the existing deli sells beer and cigarettes. Mr. Moeller's small business does not have designated parking. Mr. Moeller also noted that restaurants near this site sell alcohol. Mr. Moeller has different views as a parent and a local business owner but welcomes this business and welcomes the additional foot traffic and does not think that this will lead to people smoking pot on the street.

Ronnie Napolitani of Warren Road spoke and said he believes there are much better spots in the Village for this business. Ronnie Napolitani is pro-business, but this business will not help the prices of homes in the area, and he believes they should find a better location.

Ed Riely of Truesdale Drive spoke and said that it was a shame that this application was before the Planning Board. Mr. Riely believes that the Village should not have "opted in" for this type of establishment, and this proposed area is highly trafficked.

The applicant's attorney Micci Weiss spoke and said that he appreciated hearing the resident's concerns, but the Village allowed to allow cannabis, so they are allowed to open the shop here. Mr. Weiss said that the applicants followed the state process, got confirmation from the Office of Cannabis Management, provided correspondence from the Village and will be a less intensive use that what is currently there. Mr. Weiss reinforced the applicant's commitment to give back to the Village and said again that they have not had the experience of customers leaving their shop and using the product at their current location in Tarrytown.

Geoff Haynes said that Village attorney confirmed to the Planning Board that Happy Hearts is not considered a preschool, and they are not just taking the applicants word on that information. Chairman Luntz added that he agrees that this is not the right location for this establishment, but understands that the applicant looked at alternate locations, and the Planning Board is held to the law, therefore, Chairman Luntz can not find a reason not to move ahead with the application.

Eva Thaddeus stated that, in response to Villagers who had concerns about an increase in crime, she reached out to and spoke to a police lieutenant in Ossining who said that there has not been an increase in crime since the dispensaries opened.

Steve Krisky said that he would like to suggest that the applicants agreed to open their shop from 10:00 a.m.- 8:00 p.m., and the applicants countered with 9:00 a.m. – 9:00 p.m., repeating again that more customers go to the existing deli. Geoff Haynes asked the Village attorney if the Planning Board had any leeway with the hours, and Jeannette Koster said that she would have to look at the code. Vinny Salanitra stated that according to the Office of Cannabis Management, the applicants can be open for a minimum of 70 hours per week. There was some back and forth about the hours with the applicants reiterating the large investment that they are making and the Planning Board taking into account the hours that liquor stores are open, and an agreement was made that the hours would be 9:30 a.m. – 9:00 p.m. and discussion continued about conditions for the resolution, including that the applicants establish a relationship with the police department, offer access to video cameras, and keep an open line of

communication. The applicants were asked to come back to the Planning Board with signage and a grand opening plan. John Ghegan advised the applicants to check on the certificate of occupancy and the roof.

Steve Krisky made a motion to approve the change of use application from retail to a cannabis retail dispensary for Best Dispensary Near Me at 370 South Riverside Ave. with conditions relating to a grand opening plan, with the hours from 9:30 a.m. – 9:00 p.m., with a real effort to coordinate with Croton Police, with an effort to work with the Village to upgrade the striping and signage in the parking area, with customer only parking signs, and a signage application that will be submitted to the VEB and the approval being conditioned on the applicants getting their license from the state, seconded by John Ghegan, and carried, 5 – 0.

- b) *Referral from Village Board of Trustees to review Local Law Introductory No. 7 of 2026, the EAF and the CAF to amend the provisions of Chapter 179 "Property Maintenance" and Chapter 230, "Zoning", of the Village Code to revise the law governing posted signs.*

Geoff Haynes summarized his understanding of the new law, which he believes has to do with enforcing the Village sign laws. Geoff Haynes said that under the new law, signs are broken down into two categories, commercial, or non-commercial, so that the content of the signs is not considered when considering signs. The Planning Board felt that this proposed law is a rough draft and was interested in getting additional details, for example, definitions of signs versus banners. The Planning Board requested examples from other Villages that the consultants may have worked with so that procedures can be clarified. The Planning Board is looking for additional details on proportionality. Steve Krisky asked about time limits for signs, like election signs or tag sale signs, which would be able to be up for 45 days, without a permit. Enforcement of signs that stay up too long was discussed.

Steve Krisky also thought it might be helpful to hire a graphic artist to do some basic guidelines, as mentioned on page five (7). On page 6 E "Illumination" (2) Steve Krisky would like to add the words "or bleed."

Regarding page 7, (2) "All signs shall be kept in good repair....." Again, the Planning Board had questions about enforcement, and Jeannette Koster said that there should be a section of the code that includes fines. The Planning Board also asked if there could be a way online for people to report possible sign violations.

### **3. APPROVAL OF MINUTES – Draft Minutes March 24, 2026**

Eva Thaddeus made a motion to approve the Planning Board minutes of March 24, 2026, as amended, seconded by Steve Krisky, and the motion carried by a vote of 5 – 0.

### **4. ADJOURNMENT**

There being no further business to come before the board, the meeting was duly adjourned at 10:27 p.m. with a motion by Chairman Luntz.

Respectfully submitted,  
*Karen Stapleton*, Secretary to the Planning Board