



**Zoning Board of Appeals**  
Department of Planning & Community Development  
City Hall - Roosevelt Square  
Mount Vernon, New York 10550-2060  
(914) 699-7230

Shawyn Patterson-Howard  
Mayor

Michael Justino  
Chair

**ZONING BOARD OF APPEALS  
MEETING/HEARING  
AGENDA  
FEBRUARY 10, 2026**

**A work session of the Zoning Board of Appeals will be held on Tuesday, February 10, 2026, at 6:00 PM in City Council Chambers, on the 2<sup>nd</sup> floor of City Hall. The regular meeting of the Zoning Board of Appeals will be continued at 6:30 PM. Applicants and members of the public will be permitted to attend and make public comments via in-person attendance and Zoom.**

**The meeting and work session will be streamed live on the following services:**

**Facebook: <https://www.facebook.com/mountvernonny>**

**YouTube: <https://www.youtube.com/@CMVNYTV/streams>**

**ITEM #1 ROLL CALL**

**ITEM #2 APPROVAL OF MINUTES**

- **September 16, 2025**
- **November 18, 2025**
- **January 20, 2026**

**ITEM #3 PUBLIC HEARINGS**

**Continued Public Hearing**

**3.1 Case # ZB- 24-16: 127 South Terrace Avenue (Section 164.84, Block 1061, Lot 17) in the CB: Commercial Business Zone.**

**The Board previously received proof of mailing, proof of publication in the Journal News, and proof of initial sign posting for the application.**

**The Board has also received an Affidavit of Sign Posting stating that on January 27, 2026, a sign was posted at the site giving notice of the Zoning Board’s February 10, 2026, meeting. The Board also received photographs showing that the sign posting on the property has been updated providing notice of today’s meeting. The owner, John Ruggiero, is represented by his architect, Shahin Badaly.**

**The applicant is seeking to obtain area variances for the conversion of an existing commercial building to a cannabis dispensary. The subject property is 9,450 square feet, is located on South Terrace Avenue off South Street and Grove Street and is located in the I – Industrial Zone, near South Macquesten Parkway.**

**Area Variances Requested: (§ 267-Attachments 2 & 3)**

<b>Item</b>	<b>Required / Permitted</b>	<b>Proposed</b>	<b>Variance Requested</b>
<b>Location Proximity to House of Worship</b>	<b>More than 500 feet</b>	<b>Less than 500 feet</b>	<b>Variance to allow for the proposed dispensary despite the proximity disparity.</b>
<b>Location of Signage Proximity to Playground</b>	<b>More than 500 feet</b>	<b>Less than 500 feet</b>	<b>Variance to allow for the proposed dispensary despite the proximity disparity.</b>
<b>Parking</b>	<b>10 spaces 1 loading space</b>	<b>9 spaces 0 loading spaces</b>	<b>1 space (10%) 1 loading space (100%)</b>

**The application has been sent to the Fire Department, the Police Department, the Water Bureau, DPW, and the City Engineer for comments. The application is not under the jurisdiction of the County Planning Board.**

**SEQRA - The proposed action formerly required a use variance in an earlier incarnation of the application and was classified as an Unlisted action under SEQRA. The Zoning Board of Appeals declared Lead Agency on the application at its September 19, 2023, meeting. At its November 20, 2023 meeting, the Zoning Board referred the application to the City Council for a zoning text amendment. On January 24, 2024, the City Council adopted a Negative Declaration regarding its uncoordinated review of the Unlisted action and enacted Local Law No. 1-2024 (A Local Law to**

**Amend Chapter 267 (Zoning) of the Code of the City of Mount Vernon to Regulate Cannabis Retail Dispensaries and Consumption Sites). In light of this Code revision, for the purposes of the Zoning Board, the proposed action is a Type II action under SEQRA based on 6NYCRR (c)(18) *“reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part;”* therefore ending the SEQRA process.**

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**Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [Section 105 of New York State Public Officers Law, Article 7].**

**Note: Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda.**

**Upcoming Dates:**

- **TUESDAY, March 17, 2026, at 6:00 pm for ZBA Work Session**
- **TUESDAY, March 17, 2026, at 6:30 pm for Regular Meeting of the ZBA**

cc: Shawyn Patterson-Howard, Mayor  
Chair, Zoning Board  
James Rausse, Planning Commissioner  
Building Commissioner  
Corporation Counsel  
City Clerk  
Lobby