

**VILLAGE OF SOUTH BLOOMING
GROVE
PUBLIC HEARING
PROPOSED LOCAL LAW – CANNABIS LICENSING
Monday
December 27, 2021
8:05 P.M.**

➤ **Call to order**

- Mayor Kalaj called to order the Village Board Public Hearing at 8:10 p.m. on December 27, 2021, via Zoom Meeting #846 0033 0611 for the South Blooming Grove Village Hall located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

- George Kalaj – Mayor
- Abraham Weiss- Deputy Mayor
- Asher Guttman - Trustee
- Yitzchok Feldman- Trustee
- Zalmon Rosner - Trustee
- Scott B. Ugell, Esq. – Village Attorney
- Al Fusco- Village Engineer
- Isaac Ekstein- Legislative Aide to Mayor
- Joel Stern – Confidential Assistant to Mayor
- Kerry Dougherty- Village Clerk

➤ **Presentation**

- **Scott Ugell, Esq.** the new Cannabis statute promulgated by New York State Legislation signed by the Governor had gone into effect and one of the requirements of every village and town is to determine whether or not they would want to be a participant as either a retail establishment, often called a dispensary and a smoking lounge. Those are two distinct licenses that a town or village has the option but not the requirement to opt out. Opt out must take place before the end of the year, hence the meeting tonight and it doesn't require the village following up with any further filings, at the moment. Brief background is as follows: There are nine licenses essentially created by New York State for Cannabis, you are only really allowed to opt out of two. Retail establishments and smoking lounge. Cultivation, which means growing, delivery service, processing is all that we don't have any right to effect. All we can do is the two smaller licenses. I gave two variations for the board to consider. One is a complete opt out where we don't allow any retail or smoke shops for now. It is critical to remember that when you opt out you can opt in whenever you want. When the village is comfortable with what the new law says, the village can determine what the next step would be. The reason why many towns and villages want to opt out is because a lot of the rules are not written yet. It is very early in the process. There are a lot of things being worked on and a lot of things still unknown. When it comes to retail or smoke shop requirements, it is important to remember that even if you were not to do anything (opt in), you still have protection by the statute as written by the state. For example, a retail shop cannot be within a certain distance of a house of worship cannot be within a certain distance of a school, can't be in a certain distance of a child care facility. If you look at the village map you will see how limited even if you didn't do anything which is essentially opting in. There are 4 villages that have temporarily banned the smoke shop part but allowed for the retail dispensary to go forward (Piermont, Nyack, Airmont and Havestraw).

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The choice is the boards, you can do nothing which would opt the village in fully, opt out completely and then wait to see what happens and opt in whenever you want later, or you can do the resolution I wrote which opting out of the smoke shop but allowing for the retail dispensary to take place. There will be very few licenses issued initially, there will be no vertical licenses (you cannot own cultivation, retail and smoke shop). The only thing people have to remember is why you would not opt out is because you will turn away prospective businesses. A business must have a location in place before applying for a license.

➤ **Public Comment**

- **Samantha Rappa-Giovagnoli** – she appreciates the advisement from the attorney and sees the relevance of it from a business perspective, considering we have spent numerous board meetings discussing speed bumps and the caution for people in the community to slow down due to the many children in the area. I would like to know if the village has a plan if they were to opt into this to educate the children within the area about these businesses and what that plan would look like. Thank you.
- **Sue Anne Vogelsberg** – She is wondering if it is possible, when you were talking about the cultivation aspect, that would be fabulous because we are close to New York City, just like Warwick has growing but we don't have that much open space left because we have been doing all this commercial office building, but we do have the Clovewood area and being that there is not water there to hold those 600 homes and 600 accessory apartments, maybe there is enough water there to grow Marijuana, she is just saying, she doesn't know if it's a possible thing but with all of that acreage, think of all the tax revenue that would come into the village and then we wouldn't have the strain on our infrastructure, that all the people living there would do. Just a suggestion. **Joel Stern** advised that growing Marijuana would require much more water supply than a regular household, with the amount of irrigation a couple of times daily, but still we will consider that.

➤ **Adjournment**

- Motion to close the public hearing at 8:24 p.m. by Mayor Kalaj, seconded by Trustee Guttman - 5 Ayes - *Mayor Kalaj, Deputy Mayor Weiss, Trustee Guttman, Trustee Feldman and Trustee Rosner.*

Minutes respectfully submitted by
Kerry Dougherty, Clerk