

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
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[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

January 5, 2024

Incorporated Village of Piermont
478 Piermont Avenue
Piermont, New York 10968

**RE: Village of Piermont, Local Law 8, and 9 2023, filed on
12/29/2023**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

RECEIVED

IAN 12 2024

BY: S.C



**Department
of State**

Local Law # 8 of 2023

A local law to amend the provisions of the Village Zoning Code regarding the location of cannabis retail businesses.

Amend Village Zoning Code section § 210.2, Definitions, as follows by adding the following after the definition of “cabana”:

CANNABIS BUSINESS, RETAIL—A cannabis related business licensed by NYSOCM to operate on of the following business types: Adult-use retail dispensary or Adult-use delivery.

Amend Village Zoning Code, Article XA CBM Central Business Multi-Use District, § 210-61.2 (A), Uses permitted by special permit, by adding the following language:

§ 210-61.2 Uses permitted by special permit.

The following uses shall be permitted in the CBM District by a special permit issued by the Board of Trustees and shall be subject to the provisions of Article XIII:

A.

Same as the BB District, except Retail Cannabis Business shall be limited to the BB Zone District only. Retail Cannabis Business shall not be permitted in the CBM, Residential, Waterfront, Riverfront or Business A Zone Districts.

Amend Village Zoning Code § 210-57, by adding the new subsection “L”:

L. Retail Cannabis Business

Amend Village Zoning Code, Table of General Use Regulations – Part 3, Column 3 – “Uses Permitted by Special Permit of Board of Trustees (subject to § 210-70)” by adding Number 10:

10. Cannabis Business, Retail

Amend Village Zoning Code, § 210-72, Statement of proposed uses, by adding the following after subsection F:

An application for a special permit shall contain:

G. For special permits for cannabis retail, copies of all required NYS Office of Cannabis Management licenses or registrations issued to the applicant by the State of New York,

and any of its agencies; a statement that the applicant has site control and the right to use the site for such use in the form of a deed, valid lease, or purchase and sale agreement, and a signed consent from the property owner; submittal shall also include details showing all signage, exterior proposed security measures for the premises, including cameras, lighting, fencing, gates and alarms, ensuring the safety of employees and patrons.

This Local Law shall be effective immediately upon filing with the Secretary of State.

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The Village of Piermont is considering the adoption of a local law to amend the provisions of the Village Zoning Code regarding the location of cannabis retail businesses. Specifically, the local law seeks to amend Village Zoning Code section § 210.2 by adding the definition of CANNABIS BUSINESS, RETAIL, which is defined as a cannabis related business licensed by NYSOCM to operate on of the following business types: Adult-use retail dispensary or Adult-use delivery. The proposed local law seeks to allow such use by special permit per § 210-72 of the Zoning Code only in the BB zone district and specifically excludes such use from the CBM, Residential, Waterfront, Riverfront or Business A Zone Districts. For the reasons set forth below, the Proposed Action will not have a significant adverse environmental impact.

Because this is a legislative action only by the Village Board of Trustees not involving any disturbance to land, there will not be a significant negative environmental impact from the Proposed Action. Any application for a special permit for Retail Cannabis Business under this proposed local law will have to apply to the local boards and go through the appropriate environmental review.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Local Law to Permit retail cannabis in the BB District Only by special permit.

Name of Lead Agency: Village Board of Trustees

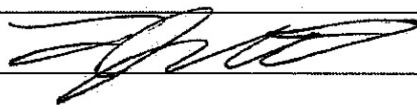
Name of Responsible Officer in Lead Agency: Bruce Tucker

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency: /s/ Bruce Tucker

Date: 12-12-23

Signature of Preparer (if different from Responsible Officer)



Date: 12/12/23

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM