



Office of the Town Clerk
James M. Wooten, Town Clerk

Registrar of Vital Statistics

Records Management Officer

Marriage Officer

March 7, 2024

General Code Publishers
781 Elmgrove Road
Rochester, NY 14624
Attn: Jan Medina

Dear Ms. Medina:

ENCLOSED HEREWITH please find the following resolution which was adopted by the Riverhead Town Board at a Regular Town Board meeting on March 5, 2024.

#11- Resolution # 234 – Adopted 3/05/2024

ADOPTS A LOCAL LAW TO AMENDING CHAPTER 301 OF THE RIVERHEAD TOWN CODE ENTITLED, "CHAPTER 301, ZONING AND LAND DEVELOPMENT PART 3. SUPPLEMENTARY REGULATIONS ARTICLE LIIC. CANNABIS

Sincerely,

James M. Wooten
Town Clerk
JW:cd

03.05.2024

ADOPTED

TOWN OF RIVERHEAD

TB Resolution 2024-234

ADOPTS A LOCAL LAW AMENDING CHAPTER 301 OF THE RIVERHEAD TOWN CODE ENTITLED, "CHAPTER 301. ZONING AND LAND DEVELOPMENT PART 3. SUPPLEMENTARY REGULATIONS ARTICLE LIIC. CANNABIS

Councilwoman Waski offered the following resolution,
which was seconded by Councilman Rothwell

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 301 of the Riverhead Town Code entitled, "Zoning and Land Development, Part 3. Supplementary Regulations Article LIIC. Cannabis" to the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of February, 2024 at 6:15 o'clock p.m. at Town Hall, 4 West Second Street, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the Riverhead Town Board has considered the Local Law to Amend Chapter 301 of the Riverhead Town Code Entitled "Zoning and Land Development, Part 3. Supplementary Regulations, Article LIIC. Cannabis" the SEQRA record to date, the requirements of the Town Code, as well as other relevant planning, zoning, and environmental factors; and

WHEREAS, Planning Department Staff, on behalf of the Riverhead Town Board has prepared part 1, part 2 and part 3 of the Short Environmental Assessment Form (SEAF), dated February 27, 2024; and

WHEREAS, the Adoption of the subject Local law is an Unlisted Action pursuant to SEQRA, with coordinated review being optional and not recommended.

NOW, THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby classifies the Local Law to Amend Chapter 301 of the Riverhead Town Code Entitled "Zoning and Land Development, Part 3. Supplementary Regulations, Article LIIC. Cannabis" as an Unlisted Action pursuant to SEQRA, and assumes Lead Agency, without coordinated review; and be it further,

RESOLVED, that the Riverhead Town Board hereby issues a Negative Declaration pursuant to SEQRA, for the Local Law to Amend Chapter 301 of the Riverhead Town Code Entitled "Zoning and Land Development, Part 3. Supplementary Regulations, Article LIIC. Cannabis" as the proposed action is not likely to result in any significant adverse environmental impacts; and be it further,

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review Newspaper and to post same on the signboard at Town Hall; and be it further,

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joann Waski, Councilwoman
SECONDER:	Kenneth Rothwell, Councilman
AYES:	Hubbard, Rothwell, Kern, Merrifield, Waski

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 301, entitled "ZONING AND LAND DEVELOPMENT PART 3. SUPPLEMENTARY REGULATIONS, ARTICLE LIIC. CANNABIS" of the Riverhead Town Code, at its regular meeting held on March 5, 2024.

The intent of the proposed legislation is to reduce cannabis retail/lounge distance restrictions as they relate to residential uses in designated Commercial Corridors.

A copy of the entire text of the adopted local law may be reviewed at the Office of the Town Clerk, 4 West Second Street, Riverhead, New York 11901, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday and can be accessed on the Town of Riverhead website at: www.townofriverheadny.gov under the Agenda and Minutes for the March 5, 2024 Town Board Meeting.

Dated: Riverhead, New York
March 5, 2024

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

JAMES M. WOOTEN, TOWN CLERK

Attachment: Public Notice for Adoption of Ch 301 Cannabis (2024-234 : Adopts a Local Law Amending Chapter 301 of the Riverhead Town

Chapter 301. Zoning and Land Development
 Part 3. Supplementary Regulations
 Article LIIC. Cannabis

§ 301-283.19. Definitions.

As used in this article, the following terms shall have the meanings indicated:

Commercial Corridor One

A portion of Suffolk County Route 25A beginning at the boundary between Town of Brookhaven and Town of Riverhead and running in an easterly direction and terminating at its intersection with Suffolk County Route 25 located in the hamlet of Calverton, Town of Riverhead and shall include only those properties with frontage and vehicular access along the commercial corridor and meet the criteria set forth in § 301-283.20.

Commercial Corridor Two

A portion of Suffolk County Route 25 beginning at its intersection with Suffolk County Route 25A and running in an easterly direction and terminating at its intersection with Manor Road located in the hamlet of Calverton, Town of Riverhead and shall include only those properties with frontage and vehicular access along the commercial corridor and meet the criteria set forth in § 301-283.20.

Commercial Corridor Three

A portion of Suffolk County Route 58 (also known as Old Country Road) beginning at its intersection with Kroemer Avenue and running in an easterly direction and terminating at its intersection with Main Street in Riverhead and shall include only those properties with frontage and vehicular access along the commercial corridor and meet the criteria set forth in § 301-283.20.

Commercial Corridor Four

A portion of Suffolk County Route 25 (also known as Main Road) beginning at its intersection with Cross River Drive (County Route 105) and running in an easterly direction and terminating at its intersection with Tuthills Lane located in the hamlet of Aquebogue, Town of Riverhead and shall include only those properties with frontage and vehicular access along the commercial corridor and meet the criteria set forth in § 301-283.20.

Commercial Corridor Five

A portion of Suffolk County Route 25 (also known as Main Road) beginning at its intersection with Tuthills Lane and running in an easterly direction and terminating at the boundary between the Town of Riverhead and Town of Southold located in hamlets of Jamesport and Laurel, Town of Riverhead and shall include only those properties with

frontage and vehicular access along the commercial corridor and meet the criteria set forth in § 301-283.20.

RETAILER

Any person who sells at retail any cannabis product to cannabis consumers. A retail dispensary license authorizes the acquisition, possession, sale and delivery of cannabis from the licensed premises of the retail dispensary by such licensee to cannabis consumers. A retailer must comply with all applicable provisions of the MRTA regarding licensure. ~~No person may own more than three retail dispensary licenses. Retail licensees may not own or have any interest in a licensee in the cultivation, processing or distribution tier.~~

§ 301-283.20. Location and number of permitted retail and on-site consumption establishments.

The location and maximum number of each type of establishment permitted in the Town of Riverhead is governed by the subsections below.

A.

Location requirements. Cannabis retail and on-site consumption establishments shall be permitted in only the Business Center; Shopping Center; Destination Retail Center; Downtown Center 1; Downtown Center 2; Downtown Center 3; Hamlet Center; Rural Corridor; Village Center; Peconic River Community; and Business F Zoning Districts subject to the following requirements:

(1)

No retail or on-site consumption establishment shall be established or located within 1,000 feet, measured from the nearest property lines of each of the affected parcels, of any school, library or day-care facility.

(2)

No retail or on-site consumption establishment shall be established or located within 500 feet, measured from the nearest property lines of each of the affected parcels, of any Town beach, playground or community center, and children's amusement.

(3)

No retail or on-site consumption establishment shall be established or located within 500 feet, measured using a straight line from the center of the nearest entrance of the place of worship to the center of the establishment, of any place of worship.

(4)

No retail or on-site consumption establishment shall be established or located within 2,500 feet, measured from the nearest property lines of each of the affected parcels, of any other cannabis retail or on-site consumption establishment. Notwithstanding the above, only one cannabis retail or on-site consumption establishment shall be permitted in Commercial Corridors One, Two, Four and Five.

(5)

No retail or on-site consumption establishment shall be established or located within 1,000 feet, measured from the nearest property lines of each of the affected parcels, of any existing residential use, except those properties with frontage along and located within Commercial Corridors One, Two, Three, Four and Five.

(6)

No retail or on-site consumption establishment shall be established or located within a mixed-use development project containing a residential use component.

- Underscore represents additions(s)
- Overstrike represents deletion(s)

Dated: Riverhead, New York
February 6, 2024

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
JAMES M. WOOTEN, Town Clerk**

Chapter 301. Zoning and Land Development
Part 3. Supplementary Regulations
Article LIIC. Cannabis

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