

Regular Meeting of the Planning Board of the Village of Newark Valley was held Wednesday, January 5, 2022, at 6:00 pm in the Noble Room. Present were:

Mayor	James Tornatore Sandy Kasmarcik Philip Nedlik Scott Kasmarcik Walter Knudsen Sue Hills Jim Wurtenburg Elaine Jardine
Recorder	Sarah Rudin

Meeting was called to order by Sandy Kasmarcik at 6:22 P.M.

Scott Kasmarcik discussed the problem of ATV's being used on roadways in the Village where mud is being left on the road causing a public safety hazard. We have nothing in writing to enforce this problem. For now, residents need to call the Sheriff's Department when an incident occurs. The problem with this is that the offender has left the area before the sheriff arrives. Leaves, grass, and mud are not allowed on roadways. A code needs to be written up that will enable the Code Enforcer to enforce this issue. When writing up this code regarding ATV's, we would have to think about adding the use of snowmobile's, farm tractors and Amish buggy's.

Walter Knudsen will get the Newark Valley Town Code regarding the use of ATVs on town roadway and will email that code to the Newark Valley Village Board Members and copy in Scott Kasmarcik and Jim Tornatore.

Sandy Kasmarcik would like the Village Office to print out the Village Codes.

Elaine Jardine discussed the MRTA (Marijuana Regulations). MRTA allows municipalities to regulate only two NYS adult-use cannabis licenses: Retail Dispensaries and On-site Consumption Establishments. MRTA already prohibits location of the two licensed businesses from within 500 feet of school grounds and 200 feet from places of worship. Elaine Jardine would like a list of all churches and schools within the Village, along with their addresses and Tax Map Numbers. She will then make a map entailing the buffer zones in which signs/marijuana business are not allowed.

Municipalities with zoning can regulate use, location, density, time, and manner of these businesses. Municipalities without zoning can regulate only time and manner of these businesses. There is no zoning in the Village. Only a Site Plan Review is allowed to regulate new businesses with specific attributes within their parcel of land. Municipal regulations cannot be "unreasonably impracticable." Examples of that are, allowing a business to operate in a dangerous or difficult to access location or allowing hours of operation to start only after 5:00 PM. Business hours need to be established that will not inhibit people from patronizing the store.

Not sure if you are allowed to regulate sign restrictions. Elaine Jardine suggested we write it up and see what kind of blow back we get from it. Planning Board and the Code Enforcer could enforce the

use of signs in the Village. If a code isn't already in place regarding the use of signs, we would need to get it written up or add to an existing code the use of banner signs as they are tacky and tatter easily. Are off premise signs allowed in the Village? Enforcement of signs needs to be equal to all businesses.

An existing smoking law could be modified by adding a smoking marijuana clause. We would have to incorporate tobacco use along with the use of marijuana use to make it equal for everyone. If we would like to add this type of clause, Elaine Jardine recommended we get in touch with Katie Wait from the Public Health Department. Jim Tornatore will contact Katie Wait tomorrow.

Jim Wurtenburg discussed the MRTA businesses located in other states. He has friends/relatives living in other states where marijuana businesses are in operation. These establishments have security guards by the doors. During the growing process, plants are given a batch number. Batch numbers are put on the product to track them if someone reports they purchased a bad product. When a marijuana business first opens, products will fly off the shelf. No crime has been associated with the business that have opened already.

A business wanting to grow marijuana would have to grow the product inside a building. They would be able to get multiple permits – one to cultivate marijuana and one to sell the products.

The Cannabis Control Board will be notifying the mayor if an application has been submitted for a marijuana dispensary in their area. A time frame will be made available for the board to make comments and the Cannabis Control Board will have to take those comments in to account when they determine if a business would get licensing.

Cannabis Control Board Law – WWW.Cannabis.ny.gov. Jim Tornatore will forward this website to the Village Trustees and the Planning Board Members.

A Village can set conditions to a business that would like to open a Dispensary, you could state they could open their business under the following conditions – ex. They must have adequate parking for however many people will be coming in, or if a parking lot is in disrepair, they would have to fix that before their business could open.

The Planning Board needs to determine how they feel about a marijuana business opening in the Village. This should be your priority. We need to look at this as revitalizing the Village.

The next Planning Board Meeting will be held on Wednesday, February 2, 2022, at 6:00 P.M.

Sandy Kasmarcik made a motion to adjourn the meeting at 7:49 P.M.
Walter Knudsen 2nd the Motion.