

VILLAGE OF FREEVILLE PLANNING BOARD MEETING

Minutes

September 28, 2021

A meeting was held by the Village of Freeville Planning Board at the Village Hall, 5 Factory Street, Freeville, NY on Tuesday, September 28, 2021.

Present were: Chairman Justin DiMatteo, Vice Chairman Brian Buttner, Member Melanie Allen, Member Tom Cavataio, Member Stephanie Ortolano, and Village Deputy Clerk Deborah Rude.

The meeting was called to order at 7:01 p.m. by Chairman DiMatteo.

Vice Chairman Buttner asked the Planning Board if they feel we should be opening with the Pledge, and will check to see if it is a requirement.

The August Planning Board minutes were accepted (with a correction to the date-August 24, 2021) in a motion by Member Ortolano, seconded by Vice Chairman Buttner, approved by all.

The Planning Board approved the draft of the Special Permit Application.

The Board of Trustees asked that the Planning Board weigh in on whether or not to allow cannabis retail dispensaries and/or on-site consumption licenses to locate within the Village. The Planning Board found that there is nothing in our Land Use and Development Code to regulate such businesses. The Planning Board Chairman DiMatteo issued the following statement to the BOT after discussion:

The Planning Board sees positives and negatives to initially opting out. Currently, there exists nothing in our current Land Use and Development Code (LU&DC) on file with NYS that prohibits either retail dispensaries or on-site consumption licenses. Neither fits into existing land use or activity categories, therefore there are no specific restrictions based on the specific use or activity. This functionally means that, as they are not specifically prohibited by the LU&DC, they would be allowed under the current LU&DC. It should be noted that provisions exist within that document through the existing Site Planning processes to ensure that proper setbacks, parking needs, and other related criteria would be met.

Should the Village opt out of one or both categories, this would give the Planning Board time to incorporate specific cannabis-related provisions within the LU&DC. That said, it would be a significant amount of time before these newly adopted provisions would go

into effect (due to a process that culminates in state approval). There is a chance that opting out, even temporarily, might effectively exclude this activity from the Village, or exclude the Village from the first round of development.

Should the Village not opt out, there are potential tax incentives to the Village. There is also a documented need to recruit and retain commercial development in the Village. Although the lack of specific language/restrictions regarding cannabis in the LU&DC may appear to be of concern, there are other mechanisms in place (both in a state and Village level) that would allow for plenty of local input, should an applicant wish to pursue a cannabis-based operation in the Village.

In summary, as a Planning Board we do not feel it appropriate to comment on the desirability/undesirability of any specific type of business. We do feel it appropriate to consider the processes in place (both now, and in the future) that assist the Planning Board in making sound decisions that align with the Comprehensive Plan, and ensure the best interests of the Village. We feel that there are possible paths forward to accomplish this, regardless of whether or not the Village decides to opt out.

There was discussion regarding the Comprehensive Plan Survey, regarding data analysis and comparing it to the 2013 Survey. Each member was assigned a portion to study and share next month.

The Planning Board plans to work on the definitions in the Land Use and Development Code over the winter and spring.

The next Planning Board Meeting will be held Tuesday, October 26 at 7pm.

Member Ortolano made a motion to adjourn; seconded by Member Cavataio. All members present voted aye. Motion passed. The meeting was adjourned at 8:32pm.

Respectfully submitted,

Deborah Rude
Village Deputy Clerk