



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES
REGULAR MEETING AGENDA

MEETING DATE: November 7, 2022

AGENDA ITEM SECTION: Resolutions

AGENDA ITEM NO. : 1

AGENDA ITEM:

Consider a resolution to schedule a public hearing on December 13, 2022 for rescinding the cannabis opt-out

ITEM BACKUP DOCUMENTATION:

1. Draft resolution
2. Memorandum dated November 2, 2022 from Ms. Lori Lee Dickson/Attorney for the Village to Mayor Rossillo and the Board of Trustees
3. Draft legal notice for public hearing
4. Draft local law

**RESOLUTION SETTING PUBLIC HEARING ON LOCAL LAW TO RESCIND THE
PROHIBITION AGAINST LOCAL LICENSES FOR ADULT USE CANNABIS RETAIL
DISPENSARIES**

WHEREAS, pursuant to the authority granted in NYS Cannabis Law §131, on November 23, 2021 the Board of Trustees of the Village of Dobbs Ferry exercised the right to opt-out of the local licensing of (a) retail cannabis dispensaries, and (b) on-site cannabis consumption establishments with the adoption of a local law adding Chapter 141 to the Village Code; and

WHEREAS, the Village Board of Trustees is now considering an Introductory Local Law to rescind the prohibition on the licensing of retail cannabis dispensaries contained in Section 141-3 of the Village Code; and

WHEREAS, the adoption of such law would be subject to permissive referendum in accordance with NYS Cannabis Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees will conduct the public hearing to receive comments on an Introductory Local Law which proposes to rescind the prohibition against Adult Use Cannabis Retail Dispensaries to be held in board room at Village Hall, 112 Main Street on Tuesday, December 13, at 7:30 p.m., or as soon thereafter as the matter may be heard, with such hearing to be conducted using a hybrid method combining in-person and virtual options for participation and made accessible to the public in compliance with open meetings law (NYS Public Officers Law, Article 7), or otherwise as may be permitted by local, state or federal order.

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**McCarthy
Fingar LLP**
Counselors at Law

MEMO

711 Westchester Avenue, Suite 405
White Plains, NY 10604

TO: Mayor and Trustees of the Village of Dobbs Ferry
cc: Melissa Ferraro, Liz Dreaper
FROM: Lori Lee Dickson, Esq.
RE: Local Law Rescind Opt-Out Cannabis Retail Dispensaries
DATE: November 2, 2022

The Board is engaged in ongoing discussion as to appropriate zoning and local “time, place, manner” regulations related to New York State’s legalization of adult recreation cannabis. However, a majority of the Board has indicated interest in moving forward with the preliminary step of rescinding the prohibition against authorizing the NYS Office of Cannabis Management to issue licenses for Adult-use Cannabis Retail Dispensaries in the Village now included in Chapter 141 Section 141-3 of your Code.

Tonight, your agenda includes a resolution to set a date to open a public hearing on December 13 to accept public comments on an Introductory Local Law which proposes to “rescind” the opt-out provision with the following language:

§ 141-3 Local cannabis retail dispensaries.

The Village Board of Trustees of the Village of Dobbs Ferry, County of Westchester, hereby rescinds its exercise of the right to opt out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of Dobbs Ferry. Duly licensed retail dispensaries shall hereafter be permitted within the Village of Dobbs Ferry subject to the provisions as set forth in this Code.



VILLAGE OF DOBBS FERRY
112 Main Street
Dobbs Ferry, New York 10522
TEL: (914) 231-8500 • FAX: (914) 693-3470

PLEASE TAKE NOTICE that the Dobbs Ferry Village Board of Trustees will conduct a public hearing to receive comments on an Introductory Local Law which proposes to rescind the prohibition on Adult Use Cannabis Retail Dispensaries to be held in board room at Village Hall, 112 Main Street on Tuesday, December 13, 2022 at 7:30 p.m., or as soon thereafter as the matter may be heard, with such hearing to be conducted using a hybrid method combining in-person and virtual options for participation and made accessible to the public in compliance with open meetings law (NYS Public Officers Law, Article 7), or otherwise as may be permitted by local, state or federal order.

For virtual participation, interested parties may be heard using Zoom, a web-based videoconferencing service which can be accessed by: (i) typing “join.zoom.us” on your web browser and entering the Webinar ID #205 957 953, Passcode: 309361; or (ii) using the direct link

<https://zoom.us/j/205957953?pwd=aU5YNHJVYkxub2lWN0RzQUZoVzR0UT09;> or (iii) dialing telephone number 929 205 6099. Please note that the use of the “CHAT” function will not be monitored during the hearing. Parties may also provide written comments in advance of the hearing to the Village Clerk, 112 Main Street or by e-mail LDreaper@dobbsferry.com. Further details on the proposed local law and instructions for participation may be found online at the Village of Dobbs Ferry website www.dobbsferry.com

BY ORDER OF THE BOARD OF TRUSTEES

Dated: _____ 2022

Elizabeth Dreaper
Village Clerk

INTRODUCTORY LOCAL LAW
REVISING CHAPTER 141 “CANNABIS” TO RESCIND THE OPT-OUT OF RETAIL
ADULT USE CANNABIS DISPENSARIES

A LOCAL LAW to amend the Dobbs Ferry Code to rescind the previous exercise of the Village's right to opt out of the licensing by New York State Cannabis Control Board of retail cannabis dispensary establishments within the boundaries of the Village of Dobbs Ferry.

BE IT ENACTED by the Board of Trustees of the Village of Dobbs Ferry, as follows:

Section 1. Legislative Intent. The Village Board of Trustees seeks to amend the Dobbs Ferry Village Code Chapter 141 to rescind the prohibition against NYS licensed Adult Use Cannabis Dispensaries in the Village.

Section 2. With the intent to rescind the previous exercise of the right to opt-out of allowing licensed retail cannabis dispensaries, Section 141-3 of the Code of the Village of Dobbs Ferry is hereby amended as indicated below with new matter underlined and deleted matter struck and in [brackets]:

§ 141-3 Local cannabis retail dispensaries [y-opt-out].

The Village Board of Trustees of the Village of Dobbs Ferry, County of Westchester, hereby rescinds its exercise of the right to opt[s] out of allowing retail cannabis dispensaries from locating and operating within the boundaries of the Village of Dobbs Ferry. Duly licensed retail dispensaries shall hereafter be permitted within the Village of Dobbs Ferry subject to the provisions as set forth in this Code.

Section 3. Except as otherwise provided herein, all other provisions of the Dobbs Ferry Code shall remain the same.

Section 4. This Local Law is subject to permissive referendum to be conducted in accordance with the provisions of Article 9 of NYS Village Law and shall be published, posted and filed as required by law.