

RESOLUTION ADOPTING LOCAL LAW #6 OF 2025 TO REPEAL PRIOR LOCAL LAWS AND TOWN CODE CHAPTER 116 OPTING OUT OF CANNABIS RETAIL SALES AND CONSUMPTION FACILITIES, TO MAKE A NEGATIVE DECLARATION UNDER SEQRA, AND TO AMEND TOWN CODE CHAPTER 270 TO ADD SITE PLAN REVIEW REQUIREMENTS FOR RETAIL CANNABIS BUSINESSES

RESOLUTION 25-

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The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, the Town opted-out (under MTRA and the NYS Cannabis Law) and elected to prohibit certain cannabis retail businesses from operating within the territory of the town (exclusive of the lands of the Village of Lansing) until NYS developed its permitting regulations and requirements, until there was sufficient experience with area and regional impacts, and until the town could prepare a better informed plan for reviewing such operations under site planning in accordance with the requirements and limitations of NYS law, including matters upon or for which the town's local review rights have been limited, superseded, or outright preempted by NYS (including under the express terms of the Cannabis Law); and

WHEREAS, NYS has adopted its regulations and permitting requirements and several such facilities have opened in Tompkins County and throughout the Finger Lakes region, and the observed impacts have been no greater or worse than many other types of retail and service facilities, concerns about crime, traffic, and like local impact issues have generally not materialized, and all evidence considered or reviewed by the town demonstrate that the NYS permitting and siting regulatory systems appear to be working to mitigate many of the feared, or anticipated, issues well before these business operations opened to the public; and

WHEREAS, and thereafter, the town set about a lengthy process of examining site planning tools and what was working in other municipalities, and thereafter drafted site plan requirements geared to address this specific use while staying within the restrictions and requirements of the NYS Cannabis Law, and this local law was prepared and reviewed by municipal counsel and planners, and duly reviewed and approved by the town's code committee, and this matter has been classified as a Type I SEQRA Action due to this change amending allowed uses in one or more zones that are in excess of 25 acres; and

WHEREAS, the Town Board is the only Involved Agency and thus hereby declares itself as Lead Agency for environmental review; and

WHEREAS, as each identified potential environmental impact was analyzed and duly considered by the Lead Agency in relation to the question of whether any potential environmental impacts

were so probable of occurring or so significant as to require a positive declaration, and after weighing the above and all other potential impacts arising from or in connection with these zoning changes, and after also considering: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including any permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town's master plan or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the zoning changes initiated by such local law relate to any of the identified potential impacts, the Town Board found that these factors did not cause any potential impact to be or be likely to become a moderate or significant impact such that a negative declaration will be issued; and

WHEREAS, a public hearing was duly noticed and conducted upon this local law on July 16, 2025, at the Lansing Town Hall, and the public was invited to attend and submit statements or evidence upon this local law and the zoning changes it effects, and all comments were duly heard and all evidence submitted thereat duly considered; and

WHEREAS, upon due deliberation upon said local law, the comments at the public hearing, and the environmental review thereof, the Town Board has duly DETERMINED, DECLARED, AND RESOLVED AS FOLLOWS:

1. After consideration of potential environmental impacts per ECL Article 8 and 6 NYCRR § 617.7(c), the Lead Agency has found and determined that: (i) this declaration is made in accord with SEQRA, based upon a thorough review of the FEAF as completed on the record, its supporting documents and maps, and a thorough review of relevant areas of environmental concern; (ii) this local law and its zoning changes will have no moderate or significant negative environmental consequences or impacts, a negative determination is hereby issued, and an environmental impact statement is therefore not required; and (iii) a responsible officer of the Town is hereby authorized to complete and sign the determination of significance confirming the foregoing Negative Declaration, which fully completed and signed FEAF is incorporated herein by reference.
2. Local Law Number 6 of 2025 be and hereby is approved and adopted in the form as presented to this meeting and, in such form, "be it so enacted."
3. A notice of the SEQRA negative declaration shall be delivered for publication in the SEQRA ENB by electronic filing at <https://dec.ny.gov/enb/seqra-form>.
4. In accordance with the Municipal Home Rule Law, the final adopted version of this local law shall be filed with the Town Clerk and the New York Secretary as required by the Municipal Home Rule Law.
5. This local law shall be forwarded to the municipal code service for immediate inclusion in the Town Code.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Judy Drake –

Councilperson Christine Montague –

Supervisor Ruth Groff –

Councilperson Laurie Hemmings –

Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2025.