

HAMPTON BAYS CAC APRIL 2022 MEETING MINUTES

Meeting Date: April 20, 2022

Meeting Start Time: 7pm EST

Meeting End Time: 8:40pm EST

Meeting Location: Hampton Bays Middle School Library (70 Ponguogue Ave) and via Zoom <https://tnc.zoom.us/j/97284639487>

Member Attendees: Irene Anthony (Zoom), Regina Axelrod (Zoom), Ray D'Angelo (Zoom), Margaret Friedlander, Thea Fry, Andrew Godfrey, Barbara Lefkowitz, Jim Mackin (Zoom), Kevin McDonald – Chair, David McMorris, Amy Schmearsal-Paradise (remote), Geraldine Spinella, Christine Taylor, Susan Dean (Zoom), Louise Stalzer (Zoom), Margaret Friedlander – HBCAC Secretary

Absentee Members: Victoria Firemark, Colvin Cumberbatch, Mollie Scruggs

Guests: Paula Godfrey, Southampton Town Legislative Aid (Zoom); May Zagerelli, Southampton Town Legislative Aid (Zoom); Maria Hults, Hampton Bays Civic Association President (Zoom); Rick Martel, Hampton Bays Councilperson; Cyndi McNamara, Hampton Bays Councilperson; Gayle Lombardi, resident (Zoom); Linda Wells, resident (Zoom); Richard Glanzer, resident; Bernadette Risi, resident; Nancy Galya, resident; Linda Hughes, resident; Mark Evens, resident; David Klein, resident; Eva Klein, resident

APRIL MEETING AGENDA:

- Call to order and introductions
- Quick announcements from Councilpersons Rick Martel and Cyndi McNamara about non-agenda items
- Update of zoning considerations for retail marijuana sales – see attached zoning maps from the Southampton Town Board Work Session Discussion on Thursday, March 24th, 2022
- CPF: Current public properties and potential acquisitions – see attached maps provided by the Town
 - Please Note – there aren't many vacant parcels left in the hamlet for preservation
 - The purple area on the map shows hotels/motels potentially impacted by zoning codes changes under consideration by the Town Board
- Hampton Bays Downtown Overlay District (HBDOD) and Sewer Treatment Plant (STP) updates and discussion
 - The Hampton Bays Downtown Overlay District was annulled by the Court due to the need to conduct additional analysis in order to fulfill our obligations under the State Environmental Quality Review Act (SEQRA). The Town intends to retain Nelson, Pope & Voorhis to re-evaluate the Overlay District in accordance with the court's decision. As part of this effort, we will look at the siting for the STP any practical alternatives that may be available that will meet the objectives for revitalizing the Hamlet Center. We will be kicking off this process, which allows for public input and participation, in the coming weeks. The Civic and CAC, will be considered interested agencies in the SEQRA process and as such will be notified of any meetings or comment period within all related resolutions.
- Follow up and identifying interest in working on other matters before the hamlet in smaller groups
 - Refer to the Excel spreadsheet attached and Margaret Friedlander's PPT Presentation from our March 2022 CAC meeting (added to as a worksheet to the Excel doc attached)
 - Please add any items desired which are not included
- Old business
- Identification of the next month's meeting agenda

HAMPTON BAYS CAC OPINION TO SOUTHAMPTON TOWN BOARD ON RETAIL MARIJUANA SALES

Councilperson Rick Martel agreed to share with the Southampton Town Board the opinion of the Hampton Bays CAC, below, regarding marijuana dispensaries in the hamlet of Hampton Bays. Rick Martel clearly stated that it's early enough in the discussion phase for the Board to take our opinion under advisement. Note: The Secretary inquired if a formal vote would be taken; the Chair determined a formal vote was not required. Below is the general consensus of the CAC.

The Hampton Bays CAC currently does not support allowing a marijuana dispensary anywhere in the hamlet of Hampton Bays – and especially not in the hamlet's downtown business area. We prefer a watch and learn approach particularly given that planning for the downtown business area is being reevaluated. We would consider revisiting this opinion if, and when, there is a proof of concept and firsthand lessons learned (pros & cons) are shared by other Southampton Town dispensaries and local government. The CAC does not agree that a dispensary "is a great way to revitalize downtown Hampton Bays".

AGREEMENTS & NEXT STEPS IN ADVANCE OF OUR MAY 2022 MONTHLY MEETING

1. Agreed: Kevin McDonald to secure an external microphone to rectify audio issues for members and guests who participate via Zoom
2. Agreed: CAC meetings will be recorded for the CAC Secretary to effectively capture meeting notes only.
 - o Kevin McDonald will follow up to ensure meetings can, and will be, recorded
 - o April meeting was recorded using the Secretary's personal iPhone
3. Agreed: Councilperson Rick Martel will share the Hampton Bays CAC's opinion on retail marijuana dispensaries, as noted above, with the Southampton Town Board
4. Agreed: May 2022 agenda items:
 - a) List of matters before the hamlet. Requesting member follow up prior to our May meeting below:
 - Review list of matters before the hamlet, identify your areas of interest and/or include matters of interest not identified, and email to Kevin McDonald (see attached Excel Spreadsheet)
 - Note: Participation in additional break out meetings to facilitate deeper dive discussions beyond our 1x monthly meetings are still to be determined
 - b) CPF: Current public properties and potential acquisitions – see attached maps provided by the Town
 - Please note – there aren't many vacant parcels left in the hamlet for preservation
 - The purple area on the map shows hotels/motels potentially impacted by zoning codes changes under consideration by the Town Board
 - The viability of acquiring the Bel-Aire Cove motel property

APRIL MEETING DISCUSSION POINTS:

QUICK ANNOUNCEMENTS

Rick Martel

- Hampton Bays Water District awarded \$12.7M state grant - part of Southampton Town 10-yr plan
- Raising of Dune Road from the Ponguogue bridge to the Oaklands Restaurant
 - o Road will be raised approximately 2" - 12"
 - o Work must be completed by October 2022
 - o Expectation is a 2-day process to complete
 - o No road closure is anticipated
 - o Financial expenditure has been accounted for in the Southampton Town budget for the past few years
- Upcoming Great East End cleanup
- Rick Martel is sponsoring a seedling giveaway from the State Forestry Association.
 - o Approx. 1,000 seedlings, native to our area, will be available for free
 - o Saturday, April 30th (10am) at Good Ground Park, Hampton Bays
- April 26-30th Town made a resolution to dark sky week
 - o Asking everyone to turn off their lights and enjoy the night sky

RETAIL MARIJUANA DISPENSARIES LEGAL IN THE TOWN OF SOUTHAMPTON

BACKGROUND

- 2021 Southampton Town could have opted out of any type of marijuana sales
- The majority of Southampton Town Board officials chose to opt-in to marijuana sales
- Marijuana sales will be legal in the Town of Southampton for medicinal and Over The Counter (OTC) sales in the next coming months
- No decision has yet been made by the Town Board about the location of dispensaries within the Town of Southampton; there will be additional Town Board work sessions on this topic
- The state will allow the Town of Southampton (2) dispensaries
- In addition, the Shinnecock Nation will also sell marijuana

CONVERSATION STARTER QUESTIONS:

1. Where should (2) dispensaries be located in the Town of Southampton?

2. Should a dispensary be located in Hampton Bays?

- Current Town Board thinking is (1) dispensary on each side of the canal (within the Town of Southampton)
- A dispensary does not have to be allowed in Hampton Bays – Councilpersons will be sharing our opinion with the Town Board

DISCUSSION POINTS:

- **Location of dispensaries can be decided on by zoning**
 - Refer to zoning maps from the March 24, 2022, Southampton Town Board work session discussion
 - Zoning Options include:
 - Village Business Zoning
 - Highway Business Zoning
 - Shopping Center Zoning
 - Resort Zoning
 - Light Industrial Zoning
 - Etc
- **The 3/24/22 Town Board work session brought to light that it's possible - and not necessarily advisable - that the location of dispensaries could be determined by default after eliminating**
 - a) Certain zoning the Town Board deems not suitable for a dispensary
 - b) Specific locations dispensaries cannot be near (e.g. Churches, Schools, Day Care) and
 - c) Available properties
- **Tough call to be made IF, and WHERE, dispensaries are to be located Hampton Bays**
 - Councilperson, Rick Martel prefers marijuana not be for sale in Hampton Bays
 - Councilperson, Cyndi McNamara suggests not necessarily identifying the location of a dispensary strictly by zoning, but, instead, consider
 - What might be a suitable location for a dispensary (E.G. A shopping center has parking as well as the convenience of being near other shops) keeping in mind existing state mandated restrictions
- **Dispensary location state mandated restrictions include:**
 - It was stated that dispensary must be 2000 ft from a school, a daycare facility, a church
 - **NOTE: See Legend on attached Central Zoning Area map which states: 500' School Buffer, 200' Church Buffer**
 - Kids are not allowed to enter
- **Keep in mind likelihood of future marijuana consumption lounges**
 - Consumption lounges allow a minor amount of marijuana to be sold for consumption on premises only
- **Tax Revenue**
 - Tax revenue goes to the Town of Southampton
 - Tax on marijuana sales is 9% - 3% of this tax revenue goes to the Town of Southampton, the remaining 6% goes to the State

- **Opinions/Questions:**
 - There is currently serious reticence to allowing a dispensary anywhere in the hamlet of Hampton Bays, and especially in our downtown business area where current HBDOD planning is being reevaluated
 - A dispensary is not the best “anchor” in our village business district to be used to attract tourists and/or stimulate other businesses
 - Prefer to go slow -- watch and learn approach. Proof of concept and lessons learned (pros & cons) should be shared by other Town dispensaries and local government
 - Marijuana should not be demonized
 - Marijuana was legal until the 1930’s when prohibition began, when marijuana became vilified
 - A marijuana dispensary is not any different than having a liquor store, albeit a marijuana dispensary is better regulated
 - Alcohol is probably worse for you than marijuana
 - Some people feel strongly that a dispensary should not be located anywhere in Hampton Bays, but especially in the downtown business area, some people are neutral, some people are in support of a dispensary
 - Councilpersons Cyndi McNamara and Rick Martel took part in talks with other localities that have legalized marijuana sales to understand pros & cons
 - Dispensaries are very well regulated and in-store security is present and ID is required
 - Regulated marijuana is safer than “buying off the street” which has the potential to be laced with Fentanyl (a synthetic opioid)
 - Marijuana has medical benefits and have positive experience with dispensaries that treat their medical condition
 - Medical use of marijuana with a prescription should be dispensed at a pharmacy or purchased online
 - Shouldn’t be encouraging ease of access and a marijuana dispensary on main street isn’t the best look for our downtown – and our town has a lot of children
 - Not in favor of dispensary in village zoning district
 - Adults who have spoken to parents shared that as kids in Hampton Bays it was harder to get alcohol than it was/is to get marijuana
 - Not all transactions are cash; debit cards can be used
 - Question re: what the exterior/interior of a dispensary would look like?
 - Those who have seen and/or have been inside dispensaries stated the exteriors are discreet, interiors were attractive, professional and are extremely well regulated
 - Parents should be talking to their kids about marijuana
 - Important to to ensure there are no mixed messages about smoking marijuana when it comes to the kids in our community
 - The Town should create seminars/workshops to ensure the messaging to kids is that it’s not ok to smoke marijuana. The Explorer and Eagle Scout programs impress upon children: No alcohol, no smoking cigarettes or marijuana – and are clear about the negative consequences
 - Use of marijuana sales tax revenue and monies from opioid settlements to structure programs toward messaging to our youth
 - A dispensary on main street could potentially increase sales for other main street businesses
 - Why did incorporated villages opted out and the unincorporated areas opted in?
 - Per Councilperson Cyndi McNamara: Unincorporated villages have opted out, for now, but can opt back in at a future time
 - The Southampton Town Board had Executive Session discussion and the majority of the Southampton Town Board decided to opt-in
 - States like Colorado who have legal dispensary and consumption lounges have seen a tremendous increase in tourism

- A CAC member has reached out to the Town Planning Board in Hadley, Massachusetts to inquire about the pros & cons of having a dispensary in their town
 - If/when there's a reply back – information will be shared with the CAC and Hampton Bays Town Councilpersons
- The 9% tax on marijuana sales will not be charged when the Shinnecock Nation begins sales not far from our hamlet. This will encourage business to go to them making a marijuana dispensary in Hampton Bays unnecessary

HBDOD & SEWER TREATMENT PLANT (STP) UPDATES/DISCUSSION

The information in the paragraph below was provide to the CAC:

The Hampton Bays Downtown Overlay District was annulled by the Court due to the need to conduct additional analysis in order to fulfill our obligations under the State Environmental Quality Review Act (SEQRA). The Town intends to retain Nelson, Pope & Voorhis to re-evaluate the Overlay District in accordance with the court's decision. As part of this effort, we will look at the siting for the STP any practical alternatives that may be available that will meet the objectives for revitalizing the Hamlet Center. We will be kicking off this process, which allows for public input and participation, in the coming weeks. The Civic and CAC, will be considered interested agencies in the SEQRA process and as such will be notified of any meetings or comment period within all related resolutions.

DISCUSSION POINTS:

- Concerning the STP:
 - There is consensus that an STP is needed, but there is strong opposition, from some in attendance, to locating an STP pumping station and leaching wells at its current site location which abuts the historic Hampton Bays Cemetery, Good Ground Park, and private residences.
 - CAC members all support, and expect, a rigorous examination of alternative sites
- Environmental reviews will be redone to fulfill obligations under the State Environmental Quality Review Act (SEQRA)
- The Town of Southampton can still appeal the Supreme Court decision
- The Town Board will be holding meetings in the next few months on revitalization concepts and feedback for moving forward and hearings on adopting any new Environmental impact assessment, and any subsequent zoning codes amendments adopted therefrom
- Community meetings will be held within the next few months facilitated by Nelson, Pope & Voorhis to gain planning and design feedback
- HBCAC Secretary advised that the Town Board must improve their efforts to transparently communicate with the community of Hampton Bays, inclusive of business owners - through any and all media channels – specifically regarding all future planning initiatives having to do with revitalizing Hampton Bays
- Concerning future visioning for the Hampton Bays Downtown Village Business area:
 - The expectation is the Southampton Town Board will begin with a clean slate to address concerns about density, traffic, and environmental impacts
 - New environmental reviews must consider the STP and its subject sight location
 - A question was raised about the issue of gentrification and future tax implications for residents – who benefits from the revitalization?
 - It would be beneficial for Town Board to bring together residents, business owners, retail landlords, the Hampton Bays Beautification Association, Hampton Bays Civic Association, the Hampton Bays Chamber of Commerce, and other interested stakeholders to share their respective vision for the downtown Hampton Bays area
 - It was suggested that a professional focus group moderator be engaged to effectively facilitate this discussion to ensure meaningful insights and opinions are extracted and findings are accurately captured and documented

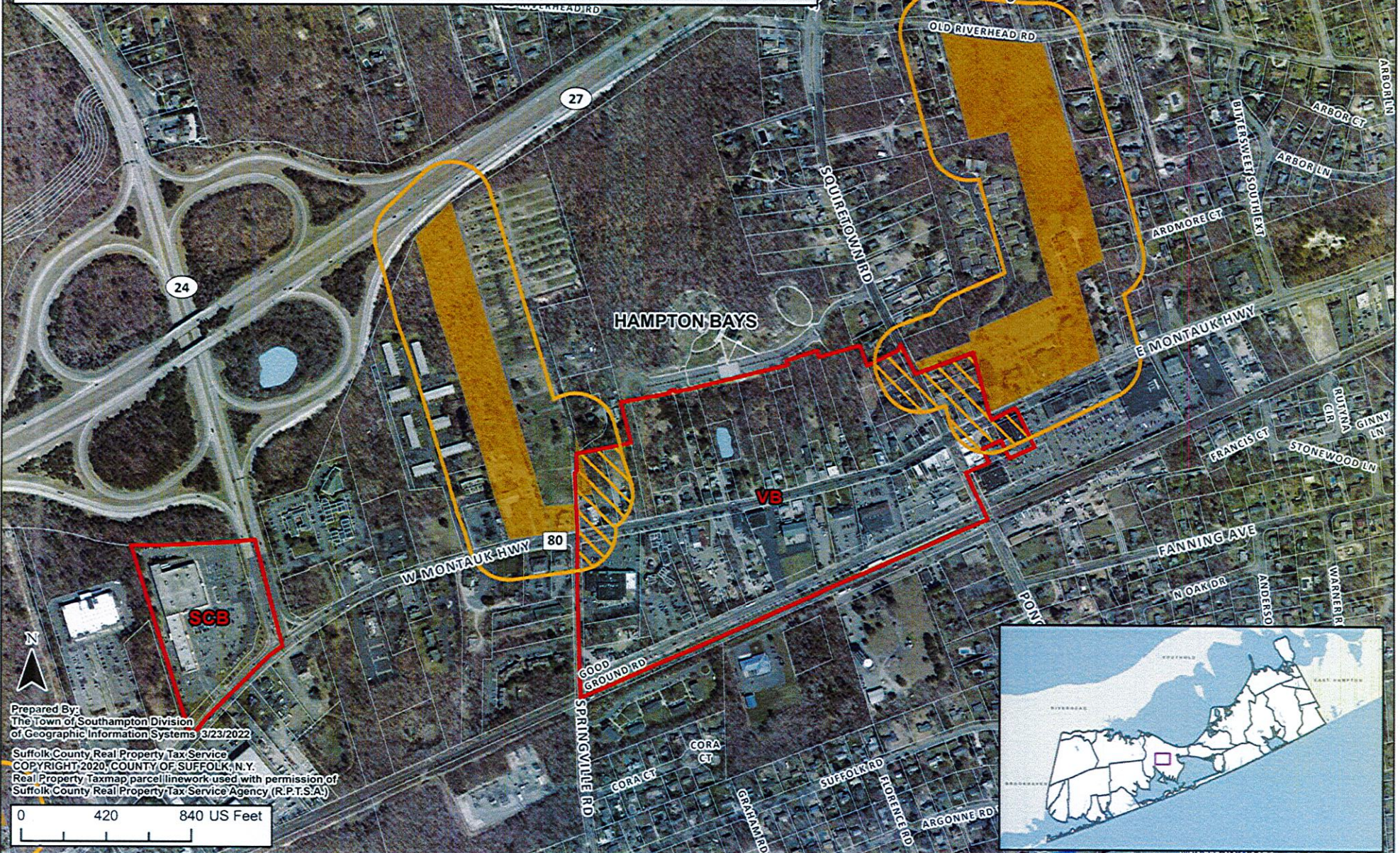
CENTRAL HAMPTON BAYS Zoning Considerations for Retail Marijuana Sales



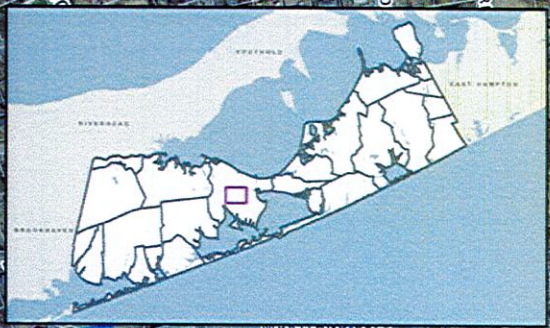
- Legend**
- Hamlet Boundary
 - School Buffer - 500ft
 - Church Buffer - 200ft
 - Eligible Zoning (VB, LI40, SCB)

- Religious facilities
- Intersection between 200 Ft. Church Buffer and Eligible Zoning
- Tax Parcels

Map ID: 2659



Prepared By:
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WESTERN HAMPTON BAYS

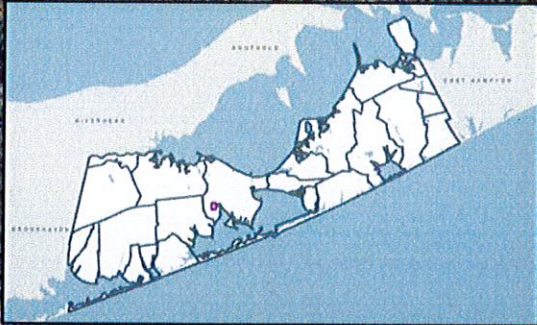
Zoning Considerations for Retail Marijuana Sales



Legend

- Hamlet Boundary
- Tax Parcels
- Eligible Zoning (VB, LI40, SCB)

Map ID: 2659



HAMPTON BAYS

SCB

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Prepared By:
The Town of Southampton Division
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