

AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON JULY 31, 2024 AT 6:00 P.M.

RESOLUTION #16-230/2024

To approve Special Use Permit Application No. 2024-025 for a Retail Cannabis Dispensary at 3740 West Henrietta Road, with conditions.

On Motion of
Supervisor Schultz

Seconded by
Councilmember Bellanca

WHEREAS, Urban Pulse LLC (the "Applicant") has applied for a Special Use Permit (Application No. 2024-025) under Henrietta Town Code §295-14[B](13) for a cannabis adult-use retail dispensary (the "Application") to be located in a Commercial B-1 District at 3740 West Henrietta Road, Rochester, New York 14623 (the "Property"), or as more particularly described in plans on file in the Town Clerk's Office; and

WHEREAS, the Property meets the requirement of §295-14[B](13) of having street frontage to West Henrietta Road and being located between Dorschel Parkway and the CSX Rail overpass; and

WHEREAS, the Property does not have a church, school, park, or a property whose primary business is directed towards minors located within the 1,000' buffer, as part of the additional Special Use Permit requirements detailed in §295-54.1[B](2); and

WHEREAS, the Applicant has already received preliminary license approval for an adult-use cannabis retail dispensary from the Office of Cannabis Management, pursuant to receiving local zoning approval; and

WHEREAS, a public hearing was duly advertised and held relative to the same on July 31, 2024 at 6:00 p.m.; and

WHEREAS, the Town Board has carefully considered all information relevant to the Application, including but not limited to the Application, correspondence and oral testimony from the public, and correspondence and oral testimony from the Applicant; and

WHEREAS, the Town has referred the application to the Monroe County Planning Board pursuant to NY General Municipal Law Section 239 and the Town has incorporated any comments and feedback from the Monroe County Planning Board; and

WHEREAS, the Town Board has considered each of the factors for assessing the requested Special Use Permit approval, all as set forth in Town Code §295-54.

THEREFORE, BE IT RESOLVED, that, in considering the Special Use Permit factors, including information based on the record, feedback from the Monroe County Planning Board and other interested or involved County or State agencies, public comments, those reasons discussed at the public meeting related to the same, and all materials submitted related to such Application, and based upon applicable law, and in consideration of any conditions set forth herein, the Henrietta Town Board finds that the Special Use Permit factors support approval of the Application, pursuant to the applicant obtaining a final license to operate a cannabis adult-use retail dispensary.

BE IT FURTHER RESOLVED, that based upon the aforementioned, the Town Board hereby grants approval for the Application to operate a cannabis adult-use retail dispensary, subject to the following condition(s):

1. Prior to operating the dispensary, that the Applicant obtain all necessary government approvals to operate said retail cannabis dispensary, including, but not limited to, a full cannabis adult-use retail dispensary license from the New York State Office of Cannabis Management.
2. The dispensary shall be operated in accordance with all applicable laws, rules and regulations.
3. That on-site consumption of cannabis products, either in-store or on-site, such as in the parking lot or adjacent areas, is prohibited, and that diligence is expected from the operation to prevent this from occurring. The failure to prohibit and/or a lax attitude towards those improperly consuming cannabis products in-store or on-site, may result in the revocation of this Special Use Permit by the Town Board.
4. That the operation exercises diligence with respect to child-proof containers, packaging that does not entice children, buyer identification procedures, monitoring the facility inside and out, the use of a safe and other cash-handling protocols, and other procedures and protocols to ensure the legal sale of the cannabis products and to help prevent the cannabis products from falling into the hands of minors. The failure to maintain adequate safeguards or a material departure from what was presented to the Town Board during the application process may result in the revocation of this Special Use Permit by the Town Board.
5. That all cannabis sale activity shall take place within the interior of the building, or at designated drive-through locations in conjunction with the applicable New York State Office of Cannabis Management laws and regulations regarding curb-side or drive-through sales operations. No sales may occur in other locations outside, under tents, or under a portico or similar physical structure.
6. Hours of operation shall be limited to between 8:00 a.m. and 10:00 p.m.

Duly put to a vote:

Councilmember Page	Aye
Councilmember Bellanca	Aye
Councilmember Barley	No
Councilmember Stafford	No
Supervisor Schultz	Aye

RESOLUTION ADOPTED



TOWN OF HENRIETTA
County of Monroe
State of New York

475 Calkins Road, Rochester, NY 14623
(585) 334-7700 • www.henrietta.org

TOWN OF HENRIETTA
APPLICATION TO TOWN BOARD
- SPECIAL USE PERMIT -

Appeal No. SP2024-025

Date 6/14/24

Applicant: Urban Pulse, LLC

Name: 3740 W Henrietta Rd City: Henrietta State: NY Zip: 12207

Business Owner: Natalie Rowland

Name: 418 Broadway, Suite R City: Albany State: NY Zip: 12207

Attorney: Amanda Wilroe
Business Name: Urban Pulse, LLC

Business Address: 3740 W Henrietta Rd City: Rochester State: NY Zip: 14623

Property Owner: 3740 West Henrietta Road, LLC PO BOX 59 Canandaigua NY 14424

Name: 36 Princeton Ln City: Fairport State: NY Zip: 14450

Architect/Engineer: Napierala Consulting Professional Engineer, P.C. John Bessette

Name: 110 Fayette Street City: Manlius State: NY Zip: 13104

Hereby request from the Town Board for a Special Use Permit for the property located at:
3740 W Henrietta Rd City: Rochester State: NY Zip: 14623
Henrietta State: NY Zip: 12207
101-15-1-12 Commercial B-1
263200-161-150-0001-012-000 District 05 MURA

If property is under a purchase option, indicate date option expires: N/A

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: V1 Section: 295 Subsection: 14 Paragraph: B13 of the Zoning Ordinance.

Description of Proposal: Application is to apply for a special use permit to operate a cannabis retail dispensary on the property. Proposed hours will be in accordance with city rules/regulations.

Multiple Dwelling Applications – Dwelling Units per Acre: _____

Does this exceed allowed amount per Henrietta Code §295-13[E](1)(b) Yes No

Printed Name: Natalie Rowland Signature: Natalie Rowland Date: 6/19/24

TWenzel Date: July 31, 2024 Time: 6:00 pm

1. The applicant shall file a copy of this application with the Town Board. The application shall be scheduled and the application fee collected.

Urban Pulse, LLC
418 Broadway, Suite R
Albany, NY 12207

June 9, 2024

Henrietta Town Hall
475 Calkins Road
Rochester, NY 14623

Subject: Letter of Intent for Cannabis Special Use Permit Application

Dear Members of the Planning Board,

I am writing to submit my Letter of Intent to apply for a Special Use Permit for a cannabis dispensary within the Town of Henrietta. As a young entrepreneur with a passion for providing customers with responsible and sustainably sourced cannabis, and a commitment to community welfare and compliance with state and local laws, I am eager to open a store in Rochester, where I look forward to contributing positively to the town's landscape and economy.

I have retained CannaZonedMLS to assist with my efforts – from licensing to product development to compliance – they have been instrumental in forwarding my plans to open a dispensary in your town. The team at CannaZonedMLS has over 30 years of combined cannabis experience, with a proven track record of establishing and managing businesses that prioritize customer safety, satisfaction, and community values. My intent is to create a dispensary that not only meets the legal criteria set forth by New York State's cannabis regulations but also aligns with Henrietta's standards for business operations and community impact.

The proposed location for this dispensary is 3740 W Henrietta Rd, Henrietta, NY 12207, which is situated in a zone that, per the local zoning laws, can accommodate such an establishment, provided a Special Use Permit is granted. This site was chosen due to its accessibility, compliance with setback requirements, and its capacity to effectively manage customer flow without disrupting the local community.

In line with Henrietta's guidelines, my business plan includes detailed attention to security, with plans to install state-of-the-art surveillance and employ trained security personnel to ensure the safety and security of the premises and its surroundings. Additionally, the operation will adhere strictly to all selling restrictions, particularly those regarding the prohibition of adult use sales to anyone under the age of 21.

Our operation will actively contribute to the local economy by creating jobs, generating tax revenue, and participating in community programs. We intend to hire locally, providing

competitive wages and comprehensive training to ensure that our employees not only contribute to but also grow with the business.

Moreover, I am committed to engaging in an ongoing dialogue with local residents, law enforcement, and town officials to ensure that our establishment operates transparently and continues to meet the evolving needs and concerns of the community.

I am aware of the responsibilities involved in operating a cannabis dispensary and am prepared to adhere to the stringent operational standards required by the state and the Town of Henrietta.

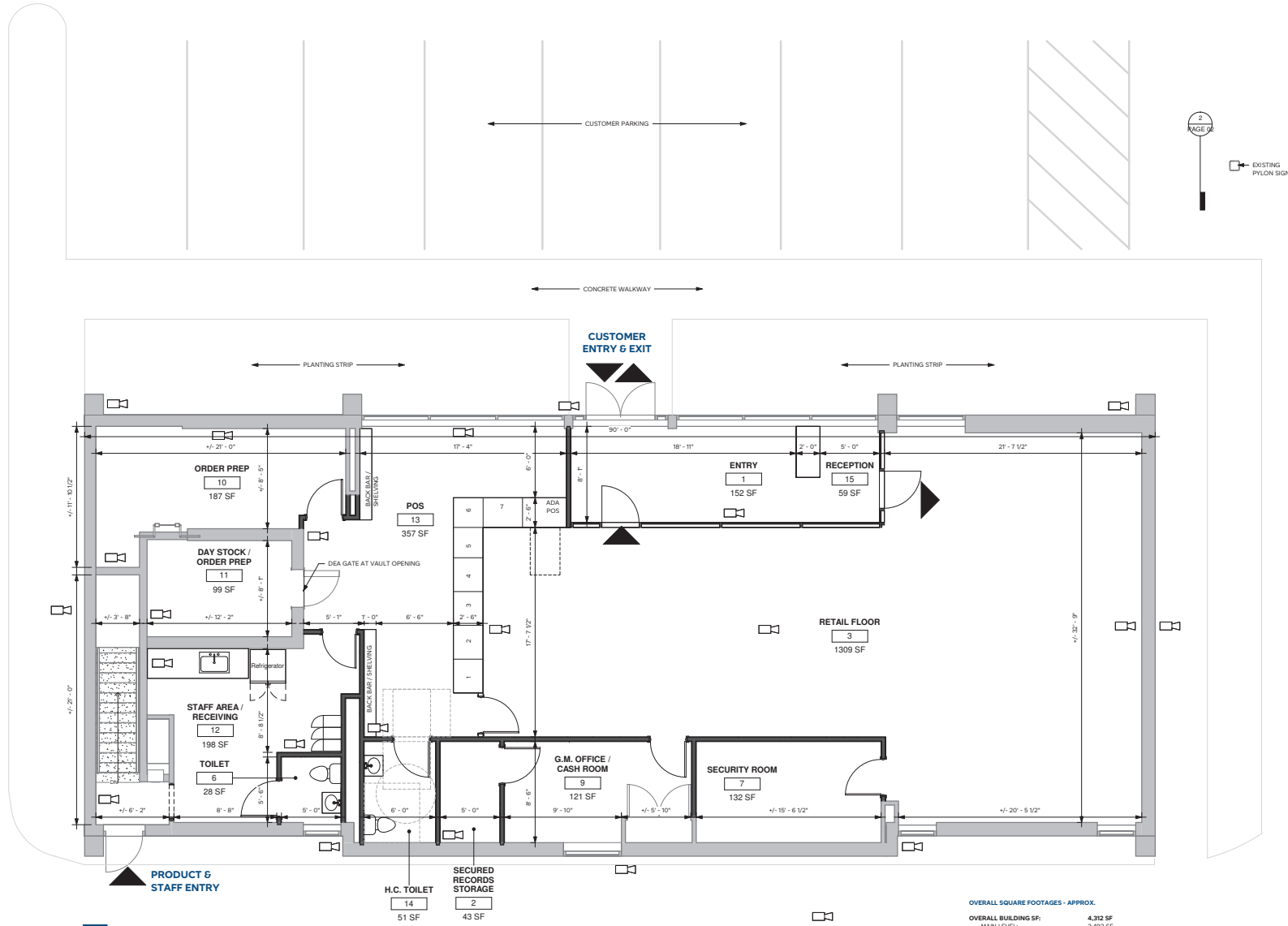
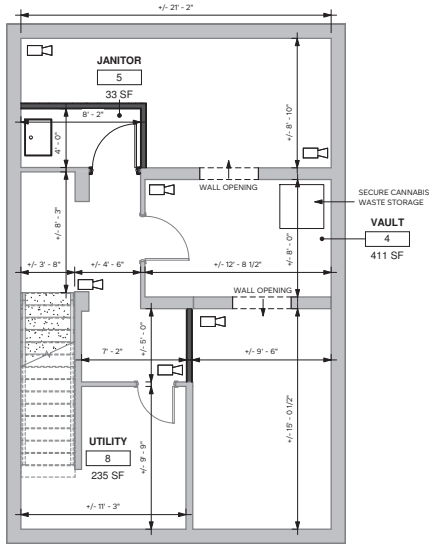
Thank you for considering this letter as part of my application for a Special Use Permit. I am eager to bring this project to life in Henrietta and confident in its potential to make a positive impact. I am at your disposal for any further information or discussion at your convenience.

Warm regards,



Natalie Rowand
Member
Urban Pulse, LLC

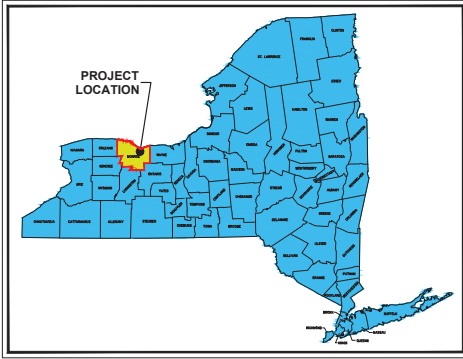
OVERALL FLOOR PLANS



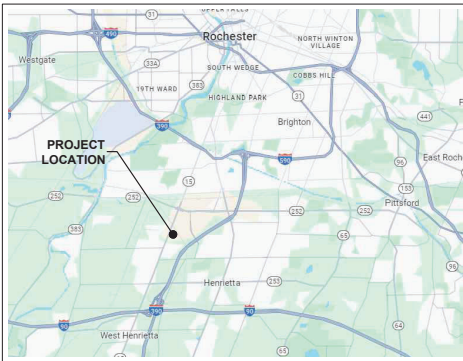
OVERALL SQUARE FOOTAGES - APPROX.

OVERALL BUILDING SF:	4,312 SF
MAIN LEVEL:	2,493 SF
PUBLIC SPACE:	1,722 SF
BOH SPACE:	1,767 SF
LOWER LEVEL:	819 SF
BOH SPACE:	819 SF

ALL AREAS AND DIMENSIONS ARE APPROXIMATE.



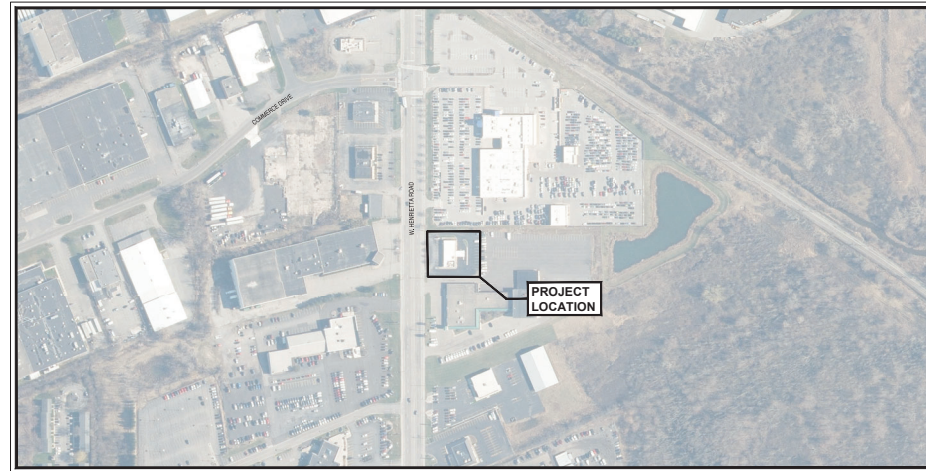
SITE LOCATION MAP
NOT TO SCALE



PROJECT LOCATION MAP
NOT TO SCALE

URBAN PULSE 3740 W. HENRIETTA RD. ROCHESTER, NY 14623

TOWN OF HENRIETTA
MONROE COUNTY
NEW YORK



AERIAL MAP
1"=200'

PREPARED BY:



**NAPIERALA
CONSULTING
PROFESSIONAL ENGINEER, P.C.**
SITE • DESIGN • ENGINEERING

110 FAYETTE STREET
MANLIUS, NEW YORK 13104
email: MNAP@NAPCON.COM
PH: (315) 682-5580 FAX: (315) 682-5544

PREPARED FOR:



Canna Zoned MLS
2207 ORCHARD LAKE RD.,
SYLVAN LAKE, MI 48320

SHEET INDEX:

TITLE SHEET	C-1
SURVEY / EXISTING CONDITIONS	C-2
LAYOUT PLAN	C-3



APPROVED BY OWNER

NAME DATE

SHEET TITLE:

TITLE SHEET

NO.	REVISION/ISSUE	DATE

COPYRIGHT © 2024
NAPIERALA CONSULTING PROFESSIONAL ENGINEER, P.C.
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS
ACTING UNDER THE DIRECTION OF A LICENSED
ARCHITECT, PROFESSIONAL ENGINEER, LANDSCAPE
ARCHITECT, OR LAND SURVEYOR TO ALTER ANY ITEM ON
THIS DOCUMENT IN ANY WAY.
ANY LICENSEE WHO ALTERS THIS DOCUMENT IS
REQUIRED BY LAW TO AFFIX HIS OR HER SEAL AND THE
NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER
SIGNATURE AND SPECIFIC DESCRIPTION OF THE
ALTERATIONS.

PLAN SEAL BY:
MATTHEW R. NAPIERALA P.E.
NY# REGISTRATION #4820

PROJECT NO. 24-2270 DATE 03 JUN 2024
**URBAN PULSE - 3740 W.
HENRIETTA RD., ROCHESTER,
NY 14623**
TOWN OF HENRIETTA
MONROE COUNTY, NY

SHEET

C-1

