



**TOWN OF NEWBURGH  
PLANNING BOARD  
TECHNICAL REVIEW COMMENTS**

**PROJECT NAME:** GREEN LEAF- CANNABIS DISPENSARY  
**PROJECT NO.:** 24-3  
**PROJECT LOCATION:** SECTION 60, BLOCK 3, LOT 43  
**REVIEW DATE:** 9 FEBRUARY 2024  
**MEETING DATE:** 15 FEBRUARY 2024  
**PROJECT REPRESENTATIVE:** AFR ENGINEERING

1. The project is being submitted as a special use permit application under Chapter 185-48.9 Cannabis Related Uses. The project proposes a cannabis dispensary.
2. The submitted plan does not have the stamp of a design professional. The plan should identify the portion of the existing structure to be utilized for the use.
3. Cumulative parking calculations for the site should be identified.
4. Any signage of the site should be identified, a generic sign has been placed on the plan sheet. The signage on the building should be detailed.
5. All items in Section 185-49.9C 1-5 should be addressed on the plan sheets.
6. Narrative report and plan details should be provided to address each of the above referenced comments.
7. Zoning Code Section 185-48.9B requires the facility to have a valid license issued by the State of New York in order to be considered a permitted use. The applicant should provide a copy of the valid license. Expiration or Revocation of the license should be deemed to automatically terminate the special use permit or other Planning Board approvals.
8. The project is a Type II Action under SEQRA.
9. Project requires submission to the Orange County Department of Planning.
10. Adjoiner's notices must be submitted.
11. Dumpster enclosures and other methods of disposing of product should be identified on the plans.
12. The project is a special use and a Public Hearing is required.

**NEW YORK OFFICE**

33 Airport Center Drive, Suite 202, New Windsor, NY 12553  
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

**PENNSYLVANIA OFFICE**

111 Wheatfield Drive, Suite 1, Milford, PA 18337  
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

Respectfully submitted,

**MHE Engineering, D.P.C.**

A handwritten signature in cursive script that reads "Patrick J. Hines".

Patrick J. Hines

Principal

PJH/ltn

**TOWN OF NEWBURGH PLANNING BOARD**

**APPLICATION PACKAGE**

for

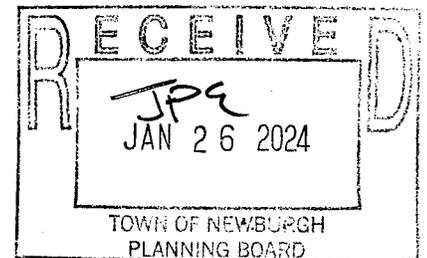
**SUBDIVISIONS,**

**SITE PLANS,**

**LOT LINE CHANGES**

And

**SPECIAL EXCEPTION USE PERMITS**



**Procedures and Requirements**

**July 2013**

**TOWN OF NEWBURGH PLANNING BOARD  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550  
(845) 564-7804  
fax: (845) 564-7802  
[planningboard@hvc.rr.com](mailto:planningboard@hvc.rr.com)**

**JULY 2013**

**TO WHOM IT MAY CONCERN:**

This package of information and forms is provided to assist the applicant in the preparation of a submission of a site plan, subdivision, lot line change or special exception use permit to the Town of Newburgh Planning Board. In most cases the application will be prepared initially by a licensed professional engineer, architect, surveyor or land planner. Since in almost every case such professional will be required for the process, they should be retained as early as possible.

Procedurally, the applicant should contact the Planning Board to discuss the potential project and obtain the necessary forms and regulations.

The Zoning and Subdivision Regulations of the Town of Newburgh require that the applicant must present plans to the Secretary of the Planning Board. When your application is complete, it will be placed on the next **AVAILABLE** agenda. Submittals must be handed in to the Planning Board Secretary at least 10 days prior to the next meeting, but the date of the appearance at a meeting will be determined by the next available time slot, not necessarily the next meeting. You will be notified of the date, time and place of your meeting.

A minimum of **FOURTEEN (14)** sets of **FOLDED PLANS** for a major or minor subdivision or a site plan must be submitted with a **COMPLETED** application, and **FIFTEEN (15)** sets of plans must be submitted if plans need to be submitted to the Town of Newburgh Traffic Consultant. This completed application must include a **LONG FORM OR FULL EAF** for every project except lot line changes, 2 lot subdivisions under 3 acres or site plans impacting less than one acre, along with a **NARRATIVE** of the proposed project. The narrative should include the action being taken, the size of the parcel, what zone the parcel is in, the water and sewer information, any Zoning Board of Appeals relief needed, and whether the parcel is on a private or town road. Complex or unusual projects should be discussed in greater detail.

Following the first meeting before the Planning Board the applicant is required to send an Adjoiner Notice to property owners within 500 feet of the parcels in question (please see final page of the package for full instructions).

Upon initial review of a Short Form, the Planning Board may require specific additional environmental information or the preparation of a Long Form. Long Form part 1 should be completed by the applicant. The Board will review and may modify Part 2 prior to making a decision on the SEQRA aspect of the project.

All fees for consulting and professional services that the Planning Board incurs during the review of the applications will be the responsibility of the applicant. An advance deposit for these fees will be required and will be placed in an escrow account with the Town. If the escrow account falls below the 40% of the initial deposit, the applicant will be required to immediately make an additional deposit to the escrow account prior to any further review of the project application by the Planning Board.

Very truly yours,

JOHN P. EWASUTYN, Chairman  
Town of Newburgh Planning Board

**TOWN OF NEWBURGH  
APPLICATION FOR  
SUBDIVISION/SITE PLAN REVIEW**

**RETURN TO: Town of Newburgh Planning Board  
308 Gardnertown Road  
Newburgh, New York 12550**

**DATE RECEIVED:** 1/5/23      **TOWN FILE NO:** 2403  
(Application fee returnable with this application)

**1. Title of Subdivision/Site Plan (Project name):**

Green leaf

**2. Owner of Lands to be reviewed:**

**Name** 1400 RT 300 LLC  
**Address** 31 Seville Ave  
Rye NY 10580  
**Phone** 914 330 4951

**3. Applicant Information (If different than owner):**

**Name** JOSEPH MORRIS  
**Address** 111 Remington Rd  
Ridgefield, CT 06877  
**Representative** JOE MORRIS  
**Phone** 203 247 4395  
**Fax** \_\_\_\_\_  
**Email** JOS.T.MORRIS@gmail.com

**4. Subdivision/Site Plan prepared by:**

**Name** AER. ENGINEERING  
**Address** 110 STAGE RD  
MONROE, NY 10950  
**Phone/Fax** 845 782 8681 / FAX 845 782 4212

**5. Location of lands to be reviewed:**

1400 RT 300 Newburgh 12550

**6. Zone** \_\_\_\_\_ **Fire District** \_\_\_\_\_  
**Acreeage** \_\_\_\_\_ **School District** \_\_\_\_\_

**7. Tax Map: Section** 60 **Block** 3 **Lot** 43

8. Project Description and Purpose of Review: Cannabis Dispensary  
 Number of existing lots \_\_\_\_\_ Number of proposed lots \_\_\_\_\_  
 Lot line change \_\_\_\_\_  
 Site plan review \_\_\_\_\_  
 Clearing and grading \_\_\_\_\_  
 Other Cannabis Dispensary Permit

**PROVIDE A WRITTEN SINGLE PAGE DESCRIPTION OR NARRATIVE OF THE PROJECT**

9. Easements or other restrictions on property:  
 (Describe generally) N/A
10. The undersigned hereby requests approval by the Planning Board of the above identified application and scheduling for an appearance on an agenda:

Signature [Signature] Title General Contractor  
 Date: 1/5/23

**NOTE:** If property abuts and has its access to a County or State Highway or road, the following information must be placed on the subdivision map or site plan: entrance location, entrance profile, sizing of pipe (minimum length of pipe to be 24 feet).

The applicant will also be required to submit an additional set of plans, narrative letter and EAF if referral to the Orange County Planning Department is required under General Municipal Law Section 239.

TOWN OF NEWBURGH PLANNING BOARD

Green Leaf

PROJECT NAME

CHECKLIST FOR MAJOR/MINOR SUBDIVISION AND/OR SITE PLAN

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. \_\_\_ Environmental Assessment Form As Required
2. \_\_\_ Proxy Statement
3.  Application Fees
4.  Completed Checklist (Automatic rejection of application without checklist)

II. The following checklist items shall be incorporated on the Subdivision Plat or Site Plan prior to consideration of being placed on the Planning Board Agenda. Non-submittal of the checklist will result in application rejection.

1.  Name and address of applicant
2.  Name and address of owner (if different from applicant)
3.  Subdivision or Site Plan and Location
4.  Tax Map Data (Section-Block-Lot)
5. \_\_\_ Location map at a scale of 1" = 2,000 ft. or less on a tax map or USCGS map base only with property outlined
6. \_\_\_ Zoning table showing what is required in the particular zone and what applicant is proposing. A table is to be provided for each proposed lot
7. \_\_\_ Show zoning boundary if any portion of proposed site is within or adjacent to a different zone
8.  Date of plan preparation and/or plan revisions
9.  Scale the plan is drawn to (Max 1" = 100')
10.  North Arrow pointing generally up

11.  Surveyor,s Certification
12.  Surveyor's seal and signature
13.  Name of adjoining owners
14.  Wetlands and 100 ft. buffer zone with an appropriate note regarding D.E.C. or A.C.O.E. requirements
15.  Flood plain boundaries
16.  Certified sewerage system design and placement by a Licensed Professional Engineer must be shown on plans in accordance with Local Law #1 1989
17.  Metes and bounds of all lots
18.  Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street
19.  Show existing or proposed easements (note restrictions)
20.  Right-of-way width and Rights of Access and Utility Placement
21.  Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 18 ft. wide)
22.  Lot area (in sq. ft. for each lot less than 2 acres)
23.  Number of lots including residual lot
24.  Show any existing waterways
25.  A note stating a road maintenance agreement is to be filed in the County Clerk's Office where applicable
26.  Applicable note pertaining to owners review and concurrence with plat together with owner's signature
27.  Show any improvements, i.e. drainage systems, water lines, sewer lines, etc.
28.  Show all existing houses, accessory structures, wells and septic systems on and within 200 ft. of the parcel to be subdivided
29.  Show topographical data with 2 or 5 ft. contours on initial submission

30. \_\_\_ Indicate any reference to a previous subdivision, i.e. filed map number, date and previous lot number
31. \_\_\_ If a private road, Town Board approval of name is required, and notes on the plan that no town services will be provided and a street sign (per town specs) is to be furnished and installed
32. \_\_\_ Number of acres to be cleared or timber harvested
33. \_\_\_ Estimated or known cubic yards of material to be excavated and removed from the site
34. \_\_\_ Estimated or known cubic yards of fill required
35. \_\_\_ The amount of grading expected or known to be required to bring the site to readiness
36. \_\_\_ Type and amount of site preparation which falls within the 100 ft. buffer strip of wetlands or within the Critical Environmental Area. Please explain in sq. ft. or cubic yards.
- 
- 
37. \_\_\_ Any amount of site preparation within a 100 year floodplain or any water course on the site. Please explain in sq. ft. or cubic yards.
- 
- 
38. \_\_\_ List of property owners within 500 feet of all parcels to be developed (see attached statement).

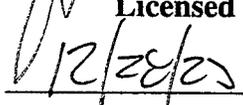
The plan for the proposed subdivision or site has been prepared in accordance with this checklist.

By: \_\_\_\_\_



Licensed Professional

Date: \_\_\_\_\_



This list is designed to be a guide ONLY. The Town of Newburgh Planning Board may require additional notes or revisions prior to granting approval.

Prepared (insert date):

## **STATEMENT TO APPLICANTS**

### **RE: TOWN OF NEWBURGH CLEARING AND GRADING LAW**

The Town of Newburgh Clearing and Grading Control Law requires a separate permit for most site preparation activities, including clearing, grading, tree cutting, excavating and filling. Site preparation activities performed following site plan or subdivision approval by the Planning Board may be exempt from the permit application, public hearing, fee and bonding requirements of the law provided the subdivision or site plan application has been reviewed for conformance with the clearing and grading law and the approval conditioned on compliance with the standards set forth in the law. Completion of the attached form will enable the Planning Board to review your application for conformance with the law's requirements. In the event it is not completed you may be required to apply for a separated permit for your site preparation activities. A sediment and erosion control plan and a plan showing the areas to be cleared, filled, graded or subjected to tree cutting, the types of vegetation affected and the proposed disposition of the destroyed vegetation must accompany the form. A SEQRA long form or full EAF should be utilized to discuss any environmental impacts and must accompany the application.

**TOWN OF NEWBURGH**  
**APPLICATION FOR CLEARING AND GRADING**

**Name of applicant:** \_\_\_\_\_

**Name of owner on premises:** \_\_\_\_\_

**Address of owner:** \_\_\_\_\_

**Telephone number of owner:** \_\_\_\_\_

**Telephone number of applicant:** \_\_\_\_\_

**State whether applicant is owner, lessee, agent, architect, engineer or contractor:**

\_\_\_\_\_

**Location of land on which proposed work will be done:** \_\_\_\_\_

\_\_\_\_\_

**Section:** \_\_\_\_\_ **Block:** \_\_\_\_\_ **Lot:** \_\_\_\_\_ **Sub. Div.:** \_\_\_\_\_

**Zoning District of Property:** \_\_\_\_\_ **Size of Lot:** \_\_\_\_\_

**Area of lot to be cleared or graded:** \_\_\_\_\_

**Proposed completion of date:** \_\_\_\_\_

**Name of contractor/agent, if different than owner:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone number:** \_\_\_\_\_

**Date of Planning Board Approval:** \_\_\_\_\_ (if required)

I hereby agree to hold the Town of Newburgh harmless from any claims arising from the proposed activity.

**Signature of owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature of applicant (if different than owner):** \_\_\_\_\_

**TOWN ACTION:**

**Examined:** \_\_\_\_\_ 20 \_\_\_\_\_

**Approved:** \_\_\_\_\_ 20 \_\_\_\_\_

**Disapproved:** \_\_\_\_\_ 20 \_\_\_\_\_

## **FEE LAW SUMMARY**

### **PENDING APPLICATIONS**

All applicants with matters pending before the Planning Board as of the effective date of this local law shall be required to post as escrow in the manner and upon the terms and conditions set forth below:

- (a) The Planning Board, in consultation with the applicant, shall compute the amount of the escrow to be posted with the Town. Such amount shall be reasonably related to the costs attendant to the Town's review of the application as of the effective date of this local law. Under no circumstances shall the escrow include amounts attributable to any costs incurred by the Town prior to the effective date of this local law.
- (b) Once computed and established by Resolution of the Planning Board, the applicant shall, within fifteen (15) days of said resolution, post escrow fees with the Secretary of the Planning Board. Failure to deliver the said escrow fees may result in delay of the further processing of the application.

### **SEVERABILITY**

In the event a court of law determined that any provision of this chapter is unenforceable, then only that provision shall be affected and all other provisions shall be fully enforceable.

### **EFFECTIVE DATE:**

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

**FEE ACKNOWLEDGEMENT**

The town of Newburgh Municipal Code sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgement of responsibility for payment of these fees to the Planning Board for review of this application, including, but not limited to escrow fees for professional services (planner/consultant, engineering, legal), public hearing and site inspection. Applicant's submissions and resubmissions are not complete and will not be considered by the planning board or placed upon its agenda unless all outstanding fees have been paid. Fees incurred after the stamping of plans will remain the responsibility of the applicant prior to approval of a building permit or certificate of occupancy. Fee schedules are available from the Planning Board Secretary and are on the Town's website.

JOSEPH MORRIS

APPLICANT'S NAME (printed)



APPLICANTS SIGNATURE

12/28/23

DATE

Note: if the property abuts and has access to a County or State Highway or road, the following information must be place on the subdivision map: entrance location, entrance profile, sizing of drainage pipe (minimum length of pipe to be twenty-four (24) feet).

**PROXY**

(OWNER) 1400 RT300 LLC, DEPOSES AND SAYS THAT HE/SHE

RESIDES AT 31 Spville Ave Rye

IN THE COUNTY OF Westchester

AND STATE OF New York

AND THAT HE/SHE IS THE OWNER IN FEE OF 1400 RT300

Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING

APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH

PLANNING BOARD AND Joseph Moore S IS AUTHORIZED

TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 12/22/23

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NAMES OF ADDITIONAL REPRESENTATIVES**

\_\_\_\_\_  
**OWNERS SIGNATURE**

Mary PAT Garity  
\_\_\_\_\_  
**OWNERS NAME (printed)**

\_\_\_\_\_  
**WITNESS' SIGNATURE**

\_\_\_\_\_  
**WITNESS' NAME (printed)**

**PLANNING BOARD DISCLAIMER STATEMENT**  
**TO APPLICANTS**

The applicant is advised that the Town of Newburgh Municipal Code, which contains the Town's Zoning Law, is subject to amendment. Submission of an application to this Board does not grant the applicant any right to continued review under the Code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new Code requirements made while the application is pending.

An approval by this Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer, water or roads. It is the applicant's responsibility to apply for and obtain the Town of Newburgh and other agency approvals not within this Board's authority to grant.

The applicant hereby acknowledges, consents, and agrees to the above.

12/28/23

DATED

Joseph Morris

APPLICANT'S NAME (printed)

  
APPLICANT'S SIGNATURE

**DISCLOSURE ADDENDUM STATEMENT TO APPLICATION,  
PETITION AND REQUEST**

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of the Town of Newburgh, or Orange County, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

           **NONE**

           **NAME, ADDRESS, RELATIONSHIP OR INTEREST**  
(financial or otherwise)

\_\_\_\_\_

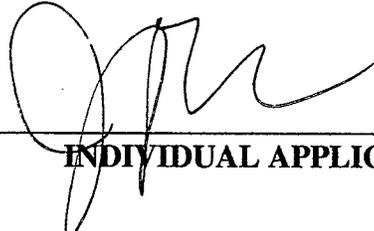
\_\_\_\_\_

\_\_\_\_\_

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board or Officer of the Town of Newburgh.

           **TOWN BOARD**  
            **PLANNING BOARD**  
           **ZONING BOARD OF APPEALS**  
           **ZONING ENFORCEMENT OFFICER**  
           **BUILDING INSPECTOR**  
           **OTHER**

12/28/23  
**DATED**

  
            
**INDIVIDUAL APPLICANT**

            
**CORPORATE OR PARTNERSHIP APPLICANT**

**BY:**             
(Pres.) (Partner) (Vice-Pres.)  
(Sec.) (Treas.)

### **AGRICULTURAL NOTE**

**(Required to be placed on all plans where property lies within 500 feet of land in active agricultural production or operation)**

Property adjacent to lots (1) is in active agricultural operation and production and residents must be aware that such property is protected by New York State "Right to Farm Laws" as regulated by the Department of Agriculture and Markets. From time to time during and prior to the normal growing season land and crops may be sprayed from the ground or by air, manure may be applied, and periodic noise may occur from machinery operation at various times throughout the day. Residents should be aware of this action by the adjacent property owners.

( 1 ) Specific lots adjacent to the active farming area which are impacted shall be inserted in this space.

**AGRICULTURAL DATA STATEMENT**

(Required pursuant to Agricultural and Markets Law §305-a for applications for site plan approvals, use variances and subdivision approvals that will occur on property within a County Agricultural District containing an active farm operation or on property with boundaries within five hundred feet of an active farm operation located in a County Agricultural District)

**Name and address of the applicant:** \_\_\_\_\_

**Description of the proposed project:** \_\_\_\_\_

**Location of the proposed project:** \_\_\_\_\_

**Name(s) and address(es) of any owner(s) of land within a County Agricultural District containing active farming operations and located within five hundred feet of the boundary of the project property:** \_\_\_\_\_

**A tax map or other map showing the site of the proposed project relative to the location of the identified farm operations must be attached to this form.**

\_\_\_\_\_  
**APPLICANT'S SIGNATURE**

\_\_\_\_\_  
**DATE**

## ARCHITECTURAL REVIEW

The Town of Newburgh Planning Board had been authorized to act as the Architectural Review Board for all: site plans, projects involving ten or more dwelling units, and any construction that would affect the character of a neighborhood under Section §185-59 of the Town Code (Zoning Law).

In order to perform this task, at some point prior to final approval, the applicant shall provide the Planning Board with elevations of buildings for all sides and a written (separately or on drawings) description of the materials, colors and textures to be used in construction. Plans shall also include topographical information and any screening of portions of the buildings, either existing or proposed.

Samples of the material and colors to be used shall either be submitted to the Planning Board or brought to the meeting at which architectural review will be discussed.

**ARCHITECTURAL REVIEW FORM**  
**TOWN OF NEWBURGH PLANNING BOARD**

**DATE:** \_\_\_\_\_

**NAME OF PROJECT:** \_\_\_\_\_

The applicant is to submit in writing the following items prior to signing of the site plans.

**EXTERIOR FINISH (skin of the building):**

Type (steel, wood, block, split block, etc.)

\_\_\_\_\_

**COLOR OF THE EXTERIOR OF BUILDING:**

\_\_\_\_\_

**ACCENT TRIM:**

Location: \_\_\_\_\_

Color: \_\_\_\_\_

Type (material): \_\_\_\_\_

**PARAPET (all roof top mechanicals are to be screened on all four sides):**

\_\_\_\_\_

**ROOF:**

Type (gabled, flat, etc.): \_\_\_\_\_

Material (shingles, metal, tar & sand, etc.): \_\_\_\_\_

Color: \_\_\_\_\_

**WINDOWS/SHUTTERS:**

**Color (also trim if different):** \_\_\_\_\_

**Type:** \_\_\_\_\_

**DOORS:**

**Color:** \_\_\_\_\_

**Type (if different than standard door entrée):** \_\_\_\_\_

**SIGN:**

**Color:** \_\_\_\_\_

**Material:** \_\_\_\_\_

**Square footage of signage of site:** \_\_\_\_\_

---

**Please print name and title (owner, agent, builder, superintendent of job, etc.)**

---

**Signature**

### LIST OF ADJACENT PROPERTY OWNERS

Within ten business days following the applicant's first appearance before the Planning Board, the applicant shall forward a letter prepared by the Planning Board or an authorized agent of the Planning Board to all property owners within 500 feet of the land involved in the application, as the names of such owners appear on the last completed assessment roll of the Town, notifying the property owners of the receipt of the plat and application, by first class mail. **The list of property owners shall be provided to the applicant from the Planning Board, through the Town Assessor's office.** The applicant shall thereafter submit a duly executed, notarized affidavit of mailing to the Planning Board. Further appearances before the Planning Board shall be prohibited until an affidavit meeting the requirements has been delivered. In the event a modification to an application proposes an increase in the number of lots or the relocation of a proposed road or drainage basin to a location adjacent to an adjoining property, then a supplementary letter shall be required to be forwarded in the same manner advising of the modification.

PROXY

(OWNER) 1400 RT300 LLC, DEPOSES AND SAYS THAT HE/SHE  
RESIDES AT 31 Smith Ave Rive  
IN THE COUNTY OF Westchester  
AND STATE OF New York  
AND THAT HE/SHE IS THE OWNER IN FEE OF 1400 RT300  
Newburgh NY 12550

WHICH IS THE PREMISES DESCRIBED IN THE FOREGOING  
APPLICATION AS DESCRIBED THEREIN TO THE TOWN OF NEWBURGH  
PLANNING BOARD AND Joseph Mares IS AUTHORIZED  
TO REPRESENT THEM AT MEETINGS OF SAID BOARD.

DATED: 12/22/23

Max Pitt  
OWNERS SIGNATURE

Max PIT GAVITTU  
OWNERS NAME (printed)

Ed Garry  
WITNESS SIGNATURE

Edward Garry  
WITNESS NAME (printed)

NAMES OF ADDITIONAL  
REPRESENTATIVES



## **QUALITY CONTROL & INVENTORY PLAN: GREENLEAF DISPENSARY**

1400 Rt 300, Newburgh, New York

### **A. Packaging Assurances**

All cannabis intended for retail distribution will be packaged in a sealed, labeled container.

Any product containing cannabis will be packaged in a sealed, odor-proof, and child-resistant cannabis container consistent with current standards, including the Consumer Product Safety Commission standards referenced by the Poison Prevention Packaging Act (PPPA).

- The Applicant will only sell cannabis products using packaging that has a Certificate of Conformity indicating its compliance with the PPPA.
- The Applicant will only sell cannabis using packaging compatible with the cannabis product it contains.

All cannabis-infused products will be individually wrapped or packaged where they are prepared at the Applicant's facility. The packaging of the cannabis-infused product will conform to the labeling requirements of the state of New York and the additional cannabis-specific requirements outlined in this document.

Each cannabis-infused product intended for consumption will be individually packaged, will include the total milligram content of THC and CBD, and will not include more than a total of 100 milligrams of THC per package. A package may contain multiple servings of 10 milligrams of THC, indicated by scoring, wrapping, or by other indicators designating individual serving sizes.

Each cannabis product will be labeled before sale and each label will be securely affixed to the package. The following information will be stated in legible English and any additional languages required by the State of New York.

## **B. Label Inclusions**

The following information will be included on cannabis product labels:

- The Applicant's name, post office box, and email address for the purpose of receiving product complaints and inquiries
- The common or usual name of the item and the registered name of the cannabis product in boldface type and including the word "Cannabis"
- A unique serial number that will match the product with the Applicant's batch and lot number to facilitate any warnings or recalls
- The dates of production and final testing and packaging, if sampled, and the identification of the independent testing laboratory
- The date of harvest and "use by" date
- The quantity (in ounces or grams) of cannabis contained in the product
- A pass/fail rating based on the laboratory's microbiological, mycotoxins, and pesticide and solvent residue analyses, if sampled
- A content list containing the following information:
  - Minimum and maximum percentage content by weight for:
    - THC
    - THCA
    - CBD
    - CBDA
  - All other ingredients of the item, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names
- The acceptable tolerances for the minimum percentage printed on the label for THC, THCA, CBD, and CBDA, which will not be below 85% or above 115% of the labeled amount
- For ingestible infused products:
  - A list of major food allergens or a statement that the product was made on machinery that has been in contact with a major allergen, if applicable
  - Identifying the product by the "Recommended Single Portion" or "Manufacturer-Specified Unit" (instead of "Serving Size")
  - Requirements or recommendations for refrigeration and storage, if applicable

The Applicant will also document plant inputs used during the cultivation process. This information will be made available to consumers upon request and separately published to our website.

## **C. Label Exclusions**

Labels will not contain information that:

- Is false or misleading
- Promotes excessive consumption

- ⦿ Depicts a person under 21 years of age consuming cannabis
- ⦿ Includes the image of a cannabis leaf
- ⦿ Includes any image designed or likely to appeal to minors or that promotes consumption of cannabis
- ⦿ Contains any seal, flag, crest, coat of arms, or other insignia likely to mislead the purchaser to believe that the product has been endorsed, made, or used by the State of Illinois or any of its representatives except where authorized in regulations
- ⦿ States or implies the product is “organic”
- ⦿ States or implies the product has the ability to treat or cure health problems

Cannabis products produced by concentrating or extracting/infusing ingredients from the cannabis plant will contain the following information:

- ⦿ A statement that discloses the type of extraction method, including any solvents or gases used to create product
- ⦿ All other chemicals or compounds used to produce or added to the concentrate or extract

#### **D. Warnings Statements**

All cannabis products will contain warning statements that are readily visible and will not be covered or obscured in any way. The Applicant will use the appropriate health warnings for packages, as defined and updated by the Department of Public Health.

Labels will show the following warnings:

- ⦿ "This product contains cannabis and is intended for use by adults 21 and over. Its use can impair cognition and may be habit forming. This product should not be used by pregnant or breastfeeding women. It is unlawful to sell or provide this item to any individual, and it may not be transported outside the State of New York. It is illegal to operate a motor vehicle while under the influence of cannabis. Possession or use of this product may carry significant legal penalties in some jurisdictions and under federal law."
- ⦿ Smokable cannabis will contain the statement "Smoking is hazardous to your health."
- ⦿ Cannabis-infused products (other than those intended for topical application) will contain the statement "CAUTION: This product contains cannabis, and intoxication following use may be delayed 2 or more hours. This product was produced in a facility that cultivates cannabis, and that may also process common food allergens."
- ⦿ Cannabis-infused products intended for topical application will contain a statement "DO NOT EAT" in bold, capital letters.



## **SECURITY PROTOCOLS: GREENLEAF DISPENSARY**

1400 Route 300, Newburgh, New York

Applicant will contract with a licensed private security contractor such to provide security guards on the premises during all hours of operation. Security guards will maintain an overt, professional appearance, establishing a peaceful, safe, and reassuring presence. This presence will discourage loitering, suspicious activity, criminal behavior, theft, and diversion of cannabis.

The security designer would most likely be Sapphire Risk, which has vast experience with cannabis dispensary security throughout New York, and installed by Arcadian, a New York based security company which has recently completed compliance for dispensaries around the state of New York including Albany and Queens.

During business hours, security guards will be responsible for:

- Monitoring activity within the facility, including hints of theft or diversion
- Monitoring the perimeter for suspicious persons or activity
- Remotely opening the gates when needed
- Surveying surroundings during shipping and receiving processes
- Ensuring the security systems operation
- Conducting alternating internal and external patrols at least every two hours
- Confirming individuals are authorized to access areas they are in
- Requesting identification from unfamiliar individuals
- Confirming procedures are being followed
- Checking for damage to infrastructure
- Reporting any intruders or emergencies immediately

Applicant may request additional guard personnel when presented with special security issues, such as an extremely large stock of cannabis or unusual vulnerability to diversion, theft, or loss.

The Company will provide the local police with real time via the video management system and/or mobile applications. The security manager and installation team will assist with training and set up.

**Visitor Policy.** The visitor policy will be followed for anyone not employed by The Company who seeks to enter the facility during non-emergency situations. Law enforcement and agents of

the OCM do have the authority to access the facility as needed, but these individuals will still be asked to sign in for record keeping purposes. Vendors or technicians (e.g. electricians, security) will be more restricted regarding where they can enter. All visitors will be escorted by employees.

**Security Guards.** The current plan is to contract one unarmed guard on site for operating hours only. This position will likely require the rotation of 2-3 employees from a third-party private security contractor (guard agency).

**Alarm Hardware.** The devices in mind can be configured to cover a boundary up to 200 feet wide per device, but can also be configured to sharpen that focus. To create an invisible fence but eliminate unnecessary false alarms, we will seek to cover 20 feet off the perimeter or to the extent requested by the police department. If intruders bypass this invisible fence and try to break in, inside alarm sensors such as motion detectors or door contacts would set off the alarm system. This alarm system feature will also have redundancy with exterior camera motion detection.

All alarm sensors will be routed to the alarm control panel, which will alert a monitoring station via cellular and IP connections. The alarm control panel can be configured to alert the police call center directly if desired. The application states that a third-party monitoring company will be contracted; however, regulations do not specify who receives the signal and thus a change request can be issued to the Department of Agriculture.

All alarm sensors will be routed to the alarm control panel, which will alerts a monitoring station via cellular and IP connections. The alarm control panel can be configured to alert the police call center directly if desired. The application states that a third-party monitoring company will be contracted; however, regulations do not specify who receives the signal and thus a change request can be issued to the Department of Agriculture. If Castle contracts for video verification of alarm monitoring, the scope of service would NOT include these silent alarms in the interest of reaction time.

The video surveillance and alarm systems will each be equipped with a 3000VA uninterruptible power supply (UPS) synchronized with a compatible high-output generator to provide a seamless transition from main power to auxiliary power in the event of a power outage. This backup power source system will be designed with a battery failure notification that will provide an early-warning fault analysis enabling timely preventative maintenance. It will also automatically conduct periodic self-tests on batteries for early detection of battery replacements and will feature a warning when a battery is not able to provide backup power. *A generator will be available for extended power outages.*

The alarm system will also have a failure notification system that provides an audible, text and email notification within five (5) minutes of any system failure. In the event of a system failure, an immediate alert will be provided via email and text message to senior management.

**After-hours monitoring.** To reduce false alarm responses, the police department or a third-party alarm monitoring center can view the camera feed relevant to the alarm-activated zone prior to dispatch. For example, perhaps a loud noise sets off a glass break detector or a panic hold-up button gets pressed on accident – verification of the alarm using the video feed can prevent wasted resources. Alternatively, the video feed can confirm if a window were actually broken or if a robbery is in progress – dispatch would be merited. This verification also ties together information for the responders, e.g. the number of people involved or a map of alarm zones.

**Emergency Preparation Overview** There have been reported dispensary break-ins nationally, but our team did not observe any break-ins reported at cultivation facilities; additionally, **no TL-rated safes or UL-rated vaults** were reported breached. Therefore, relocation of product offsite will be considered a last resort.

Should an invasion of the cultivation facility appear inevitable for some reason, the ideal solution would be to move product to another cannabis vault environment which is protected from invasion. This was the solution offered by California regulators that seemed effective once implemented. The Company would only undertake this step with approval of the Dept. of Agriculture, ISP, and local Police Department. Concurrent solutions would be to sell off inventory quickly and suspend growing new plants.

**Shipping Activities and Procedures** On site security will be present anytime cannabis or valuable items are loaded or unloaded into a distribution vehicle, both to deter illegal activity as well as react to incidents. Security personnel will be instructed to survey the surroundings for threats and to monitor the loading/unloading process for theft or improper procedures. Additionally, a second individual will monitor the camera system when possible for increased

PLEASE NOTE THAT EQUIPOMENT SPEC SHEETS WILL BE SUBMITTED TO  
NEWBURGH LAW ENFORCEMENT FOR REVIEW AS PART OF THE APPLICATION.



## **TRAFFIC MANAGEMENT and OVERFLOW PLAN:**

1400 Rt 300 Newburgh, New York

### **Traffic**

The thoroughfare of Route 300 is a heavily traveled avenue around the subject property of 1400 Route 300. The average estimated customers per day will average around 350. Typically with dispensaries, a Friday will average more people per day than Monday or Tuesday.

Route 300 is a major retail and transit corridor. Its why large retailers like Office Depot, Midas and the Newburgh Mall, and fast food locations such as Dunkin, Buffalo Wild Wings, and McDonald's locate on it. They take advantage of the existing traffic counts to capture customers, and the street is designed to handle that, and more. As stated, the 350 customers per day is negligible when reviewing how many cars per day travel along that corridor.

### **Parking**

There are currently around seventy six (76) dedicated parking spaces. These spaces are more than sufficient for accommodating the anticipated employees and customers on a routine business day.

### **Overflow Parking**

In the event that there is increased demand such as the first few opening weeks, the Friday before long holiday weekends, or April 20<sup>th</sup>, we have confirmed that the parking spaces are sufficient to accommodate such demand.

### **Consumer Overflow**

Although not expected, in the event that the reception area and sales floor is unable to contain the amount of patrons, the plan is to hire additional employees to manage the foot traffic (and vehicle traffic). The facility has been designed with large reception areas and sales floors to avoid any overflow outside onto the sidewalk. Additionally, there are dedicated point of sale stations dedicated for mobile pick up, which will create efficiency for consumers and avoid any lines forming.

However, in the event said overflow runs into would be lined up along roped off section, away from exits and the employee dedicated to overflow management would remain outside during the duration of overflow and adhere to the protocols below:

**1. KEEP ENTRANCES AND EXITS CLEAR.**

The priority must be made for smooth customer flow and safety, which begins and ends with clearly marked entry and exit pathways. This is true for the threshold entry to a venue and also includes the various entry and exit points to any queue, corridor, or service area inside. Having clear and easy access into a location and out once a transaction is completed makes shopping or movability less challenging. Also making sure the entry is clearly marked.

**2. PLAN PREDICTABLE PATHWAYS.**

Clear pathways that disperse and direct people rather than gather them will support both flow and sales. Create clearly marked pathways from entrance to exit, even starting outside. This clarity via wavfinding signage, structures like belts and stanchions will help avoid confusion and keep customers near the dispensary and away from adjacent businesses.

Signage lets customers know exactly where to stand and where to go at every stage of their experience. Extra-long belted stanchions and transporters can help manage flow with flexibility.

**3. ACKNOWLEDGE WAIT TIME.**

A simple acknowledgment of the wait itself by employees or via displays can keep waiting customers happy – and keep them in line. It's no fun to hear that five minutes of waiting (or fifteen) remain, but people are more willing to put in the time when they have a realistic sense of the wait time.

**4. ANTICIPATE AND ACT FAST.**

With today's queue management technology, dispensary managers can use real-time analytics to anticipate traffic flow and immediately deploy staff when wait times approach unacceptable limits. This information also allows managers to adjust queue set-up as needed to keep people moving.

**5. QUEUE WITH CLARITY.**

Letting customers clearly know when to move from one place to another helps them stay relaxed, and possibly even continue shopping if there is merchandise in the queue or if their position is held in a virtual queue.



## ODOR MITIGATION PLAN

1400 Rt 300, Newburgh, New York

Odor control is always a significant concern among neighbors adjacent to cannabis facilities, especially as it relates to a dispensary. Although a dispensary has limited odor risk compared to a cultivation facility or manufacturing lab, keeping odors contained will be a high priority ongoing effort. To that end, the Applicant has considered facility design components, analyses of the work areas, processes most likely to exude strong odors, and policies and procedures to contain and minimize odor creation and transfer.

These plans will be combined with a system to document the receipt of complaints, investigate the situation and improve methods if identifying persistent problems.

This Odor Control Plan explains the Applicant's process for mitigating odors generated by the sale of cannabis. Our goal is to ensure a reasonable person of normal sensitivities cannot detect odors outside the building.

These procedures explain the structural, mechanical, and operational measures employed to maintain odor control related to primarily the product stored in the facility.

### A. Administrative Controls

The Dispensary Manager will be responsible for ensuring that all personnel are trained to properly execute odor control procedures. The Dispensary Manager will also be responsible for

correcting any physical or operational deficiencies involved with the handling or consuming of cannabis that results in the release of odors from areas where consumption occurs.

A dispensary is unlike a cultivation or manufacturing facility in that all cannabis product on premise will be stored in sealed non-porous plastic bags, glass jars, or other airtight containers approved by the OCM. Because the way the cannabis is received and stored at a dispensary, a dispensary is the least likely cannabis business or facility to be odorous or have odor emitting from the building.

The Dispensary Manager will be responsible for periodically monitoring odors outside the building, particularly when activities that produce a high level of odor emission are in progress.

At all times during business hours, staff will isolate odor emitting activities from other areas of the premises, such as keeping doors of adjacent areas of the premises closed and sealed.

Additionally, staff will be trained about odor control; the specific administrative activities that the training will encompass will be 60 minute in-person training of all staff, including the importance of keeping the product storage and fulfillment rooms sealed from other areas of the building, filtration systems/methods, frequency of monitoring filters, and methods for mitigation any odor emissions.

Records will be maintained in the Dispensary Manager's office at all times including but not limited to performed maintenance tracking, documentation and notification of complaints, and scheduled and performed training sessions.

### **B. Doors and Windows**

All exterior doors and windows remain closed when not in use and no windows will be used for routine ventilation. This will prevent accidental or unnecessary odor emissions. Similarly, interior doors to areas used for cultivation, processing, and storing cannabis will remain closed when not in use. Internal doors will be equipped with spring-loaded auto-closing systems so they cannot be left open inadvertently.

### **C. Responding to Complaints**

Any complaint of cannabis odor escaping the building will be documented on a form or in a manner prescribed by the Dispensary Manager. Completed forms will be forwarded to Record Keeping. The form or documentation will contain, at a minimum:

- The date and time of complaint
- The name of the employee reporting the odor problem
- If not an employee, the name and contact information of the person who noticed the odor (if he or she chooses to disclose that information)
- The date, time, and frequency of the noted odor emission
- The distance from the building that the odor can be detected, or approximate location of odor detection

The outcome of the inspection of the incident, including confirmation of no further odors at the location of detection and fully effective odor control equipment and procedures

- The nature and date of any corrective action taken in the course of the inspection

#### Complaints Resolution

An odor complaint will be considered resolved when:

- The Dispensary Manager confirms that the issue has been effectively inspected and any necessary corrective actions have been taken, or determines that there was no odor escaping from the building that could be detected by a reasonable person of normal sensitivity

The equipment maintenance log and complaint response documentation are complete and filed

- Any official enforcement action is completed or resolved to the satisfaction of the agency or department initiating the action, if applicable

## Odor Complaint and Response Tracking

1. Date of Complaint: \_\_\_\_\_ Time of Day: \_\_\_\_\_

2. Name of Employee Recording Complaint: \_\_\_\_\_

3. If an employee noticed the odor, skip to item 8.

4. If the complaint is made by someone other than an employee, provide his/her contact information here if they would like to provide it: \_\_\_\_\_

5. Describe when and how often the odor is detected (days of the week, mornings/afternoons, particular day and time, frequency) or if it was a single instance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. From what address, general location, or distance from the building is the odor being detected? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

7. Does the person making the complaint wish to be contacted by a supervisor?

Yes \_\_\_\_\_ No \_\_\_\_\_

8. Describe the exterior locations where odor emissions could be detected by an employee and/or mark the locations on an attached facility or premises map: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

9. List equipment/locations checked to identify areas through which odor may be escaping. (Locations may be marked on an attached facilities map): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

10. List results of inspections (location of problem, type of equipment problem): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

11. List maintenance, repairs, other actions taken to resolve the problem: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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12. **Check below** once this issue is considered resolved according to the Odor Control Plan and all relevant parties have been notified of the actions taken, including the individual making the complaint, if indicated in Item 7 above.

Complaint resolved: \_\_\_\_\_ Date: \_\_\_\_\_

Name / Signature of Manager resolving complaint:

\_\_\_\_\_ / \_\_\_\_\_

Additional Notes: \_\_\_\_\_

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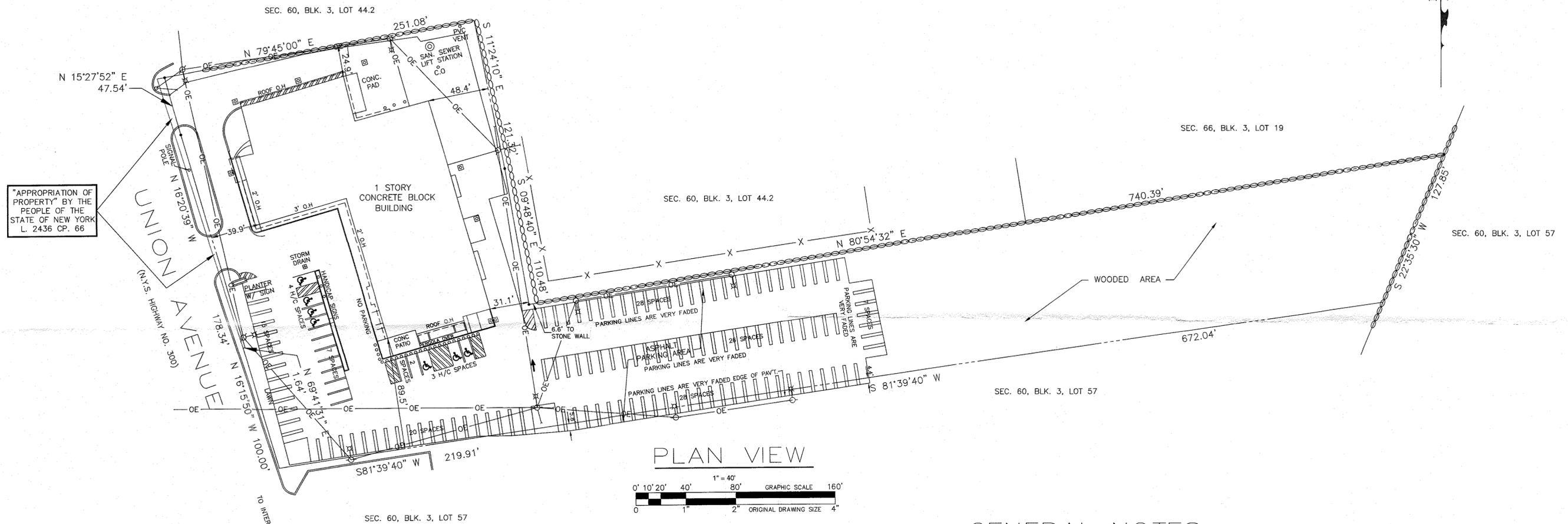
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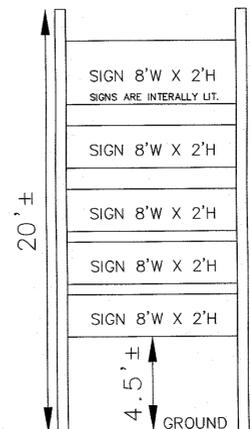


"APPROPRIATION OF PROPERTY" BY THE PEOPLE OF THE STATE OF NEW YORK L. 2436 CP. 66

SEWER MANHOLES

UTILITY POLE

LIGHT (OVERHEAD)



SIGN FACE VIEW

1" = 4'

### GENERAL NOTES

1. THIS SURVEY IS BASED ON A FIELD SURVEY BY AFR ENGINEERING & LAND SURVEYING, P.C., COMPLETED ON 12/14/23.
2. AREA OF SUBJECT PARCEL: 3.475 ACRES.
3. LOCATIONS OF ALL UTILITIES AND SUBSTRUCTURES ARE APPROXIMATE ONLY BASED ON SURFACE EVIDENCE AND EXISTING PLANS. THE INFORMATION GIVEN ON THE SURVEY PERTAINING TO UTILITIES AND SUBSTRUCTURES IS NOT CERTIFIED AS TO THE ACCURACY OR COMPLETENESS. CONSULT WITH THE APPROPRIATE COMPANY OR AGENCY BEFORE DESIGNING OR CONSTRUCTING IMPROVEMENTS.
4. HANDICAPPED PARKING SPACES ARE SHOWN AS MARKED, BUT MAY NOT BE ADA COMPLIANT.

### REFERENCES

1. DEED: LIBER 5583, PAGE 112 & LIBER 3070, PAGE 324
2. BEING SECTION 60 BLOCK 3, LOT 43, OF THE TOWN OF NEWBURGH TAX MAPPING

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**MAP OF SURVEY**  
PREPARED FOR  
**1400 ROUTE 300 LLC & GILES PRIDE INC.**  
**TM 60-3-43**  
TOWN OF NEWBURGH  
ORANGE COUNTY NEW YORK

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John A. Loch, P.L.S.  
N.Y. Lic. No. 049985

DATE: DECEMBER 21, 2023 DRAWN BY: JAL CHECKED BY: JAF  
SCALE: 1" = 40' JOB No.: 4919 SHEET: 1 OF 1