



INCORPORATED VILLAGE OF  
**Plandome Heights**

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[www.plandomeheights-ny.gov](http://www.plandomeheights-ny.gov)

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Stormwater Mgmt.  
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**Trey Harragan**  
Technology Advisory  
Board, Chair

June 16, 2021

RE: Village Public Hearing regarding legalized marijuana for recreational use

Dear Residents:

On March 31, 2021, Governor Cuomo signed a new law to regulate the possession and sale of recreational marijuana for adults 21 and over.

Municipalities, but not Counties, have been given a "limited opt-out" of certain provisions of the new law as they pertain to the (i) retail sale and (ii) gathering for use, of marijuana. And that limited opt-out, is for a limited time. Municipalities have until December 31, 2021 to opt-out. After December 31, 2021, there will be no further opportunity to opt-out.

Opt-out is to the retail sale or gathering for use. We cannot ban cannabis from use in our Village.

The Trustees and I discussed this at our regular monthly meeting on June 7, 2021. Further, I have received information from our N.Y. Conference of Mayors suggesting that municipalities opt-out. Further, I have had the opportunity to discuss opt-out with 8 of our 9 Peninsula Mayors in our May meeting.

While it is arguable that our Village does not need to opt-out (because we have no retail zoning that would permit the sale, or gathering to use, marijuana), such activities could take many forms over time. And so, the Trustees discussed the matter and we decided to propose a change to our Village Code that would forbid the retail sale or commercial gathering for use of marijuana in the Village. There will be a Public Hearing on that proposed law on July 12, 2021 at 6:00 p.m. by Zoom, with details published on our website before the event.


Our normal legal notices will be delivered, but I wanted to be sure every resident is aware of this because (i) the topic can be controversial and (ii) there are time constraints that cause us to bring this up in July, normally a quiet time for Village business.

The opt-out law we propose was modeled after the draft provided by the N.Y. Conference of Mayors. It is my understanding that the other Manhasset and Port Washington villages will propose similar laws so there is some consistency in our larger community.

While you are free to participate in the actual Public Hearing, you are also welcome to provide your comments by email, mail, phone or other means to be entered into the record of the hearing. As with many of our Public Hearings, we may keep the record open for a month or two to allow additional comment. But we want this done by the Fall so we can meet the deadline and focus on other pressing business. You can submit comments to [Clerk@PlandomeHeights-ny.gov](mailto:Clerk@PlandomeHeights-ny.gov) with a copy to [Mayor@PlandomeHeights-ny.gov](mailto:Mayor@PlandomeHeights-ny.gov).

Sincerely,

INCORPORATED VILLAGE OF PLANDOME HEIGHTS

  
Kenneth C. Riscica  
Mayor