



CITY OF LACKAWANNA

Zoning Board of Appeals

COUNCIL CHAMBERS

MINUTES

Wednesday February 26, 2025

Opening:

The regular meeting of the City of Lackawanna Zoning Board of Appeals was called to order at 5:00PM.

Pledge of Allegiance called

Present: Geercken, Kogut, Sobaszek, Stampone, Turner

Approval of Minutes of 1/29/25:

Motion to approve minutes for the meeting on 1/29/25: Sobaszek Second: Stampone

All yeas carried 5-0



Item #1
Special Use Permit
Cannabis Dispensary

Jacob Hicks
2470 Hamburg Tpke

Requesting special use permit for cannabis dispensary in Regional Commercial Zone

Jacob Hicks consultant for Tree Market NY representing

Arlenis Dominguez architect of Vivid Arc representing

Mr. Hicks stated Tree Market NY is a licensed adult-use cannabis dispensary that is considering the existing site with minor interior modifications and site work.

Mr. Hicks stated the business is an adult-use retail cannabis dispensary with no on-site consumption.

Mr. Hicks stated the municipal notification process required by the state was received November 14, 2023, and the final license was issued by the Office of Cannabis Management on October 17, 2024.

Mr. Hicks stated they are in the regional commercial zone with the following approximate distances away from sensitive areas: 1,400ft from the nearest church; 3,200ft from the nearest school; 11,000ft from the nearest cannabis dispensary; 7,000ft from the nearest rehabilitation facility; and 3,219ft from the nearest state care.

Mr. Hicks stated they have multiple exterior renderings of the façade to present to the Board and that the one before them is an outdated design.

Director Clark stated the distances to sensitive locations Mr. Hicks provided follow the City's code, which is as follow: 1,000ft from another cannabis facility; 500ft from a child/youth facility; 500ft from a school; and 200ft from a house of worship.

Ms. Dominguez stated she received her license from the New Jersey Institute of Technology and has been practicing for 12 years.

Ms. Dominguez stated she is licensed to operate in New York and that her license is in good standing.

Ms. Dominguez explained the existing site plan and the proposed plan, which includes: additional parking spots with restriping; keep and maintain existing ADA; a path on the side of the building to reach an existing side door for deliveries, and a pad for two 90-gallon garbage totes.



Ms. Dominguez stated the existing vestibule will be maintained; an existing millwork desk near the entry will be removed and built-in millwork will be the sales floor check out.

Ms. Dominguez pointed out the following locations: the sales area; a break room; two bathrooms with one ADA compliant; an office; a lactation room that will double as a small utility sink; an information technology closet; the vault area; the side entrance; and a fulfillment room that will act as a buffer to the vault, also; the revised elevation and their modifications to simplify it by taking away the multiple colors.

Ms. Dominguez stated they have a second rendition should the Board request it based on their feedback of the first rendition.

Member Kogut asked if they would sell product to anyone underage.

Mr. Hicks replied no, citing strict age verification procedures.

Mr. Hicks stated they have an age verification scanner upon entry and an identification check at the sales counter.

Mr. Hicks stated it is not a consumption site but will have security systems and cameras to monitor the facility.

Mr. Hicks stated that the product leaves in the packages they were shipped in.

Member Turner asked if a security guard will be present.

Mr. Hicks stated they did not propose having a security guard, but mentioned having greeters and individuals who take age verification as well as monitor the parking lot and security systems.

Mr. Hicks mentioned their security systems which include a 24/7 surveillance system and panic buttons that function like a bank system.

Mr. Hicks stated there are access controls for employees where only certain individuals are allowed to enter the vault where the product and income are stored.

Mr. Hicks stated they will work with the Lackawanna Police Department to establish the panic button system with their alert system for a rapid response.

Director Clark stated on-site security is not a requirement by New York State unless there is on-site consumption, but that their business needs could dictate having a guard.

Director Clark mentioned that the security measures provided by the business comply with what is required of a dispensary.

Member Stampone asked about the hours of operation

Mr. Hicks stated 10:00AM to 8:00PM seven days a week.

Chairman Geercken asked about the products placed on display.



Mr. Hicks stated the displays and not actual products and only a reference for what the real product would look like.

Chairman Geercken asked where will the product be.

Mr. Hicks stated the product will be in the vault that only certain employees have access to.

Mr. Hicks stated when someone places an order for product it will notify their fulfillment system and only then will it be brought from the vault.

Chairman Geercken asked how the vault is accessed.

Mr. Hicks replied it is accessed by a keycard system.

Motion to open the public hearing: Geercken: Second: Stampone	All yeas	carried 5-0
Motion to close public hearing: Sobaszek; Second: Stampone	All yeas	carried 5-0
Motion for special use permit: Sobaszek: Second: Kogut	All yeas	carried 5-0

Motion to adjourn: Sobaszek: Second: Turner	All yeas	carried 5-0
---	----------	-------------