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DRAFT

June __, 2021

Honorable Kenneth R. Schmitt
Supervisor, Town of Carmel
60 McAlpin Avenue
Mahopac, NY 10541

Re: Opting-Out of Recreational Marijuana Dispensaries and Lounges

Dear Supervisor Schmitt:

As you are aware, the New York State Marijuana Regulation and Taxation Act became law in March. Pursuant to said act, each town and village board must decide on whether to “opt-out” of allowing dispensaries to sell “recreational” marijuana and allowing places for onsite marijuana consumption (“lounges”). Any municipality that does not affirmatively opt-out by December 31, 2021, will be required to permit such sales and use.

If the respective Municipal Board (“Board”) votes to opt-out before December 31, 2021, the Board can always decide to allow sales and use of cannabis in the future by opting-in to the state program. However, it is of critical importance to note that if the Board does not vote to opt-out by December 31, 2021, it will not be able to opt-out in the future. New York State is essentially forcing municipalities that do not opt-out within this narrow window to live with the unknown consequences of cannabis legalization forever.

A new, state “Cannabis Control Board” will be making the decisions on what marijuana products can be sold, the pricing of such products, if children will be able to accompany adults into dispensaries, what kind of advertising will be allowed, and every other aspect of marijuana sales and onsite consumption. Local governments will only be able to determine hours of operation, zoning issues, noise limits, and the number of people that can occupy a dispensary or lounge.

It is the opinion of the Putnam County Legislature’s Health, Social, Educational & Environmental Committee that, since the new Cannabis Control Board is not yet operational and its regulations have not even begun to be discussed, it is prudent for all villages, towns, and cities in New York State to opt-out until more is known. Opting-out will give municipalities time to consider the regulations established by the Cannabis Control Board and then decide the possible impact of dispensaries and lounges on a community.

For your consideration, below are some of the research findings from communities in other states that have marijuana dispensaries:

- Youth aged 13 to 17 living close to dispensaries and exposed to marijuana advertising were more likely to report their intention to use marijuana. (*Journal of Health Communication*, 2020);
- Young adults living within a four-mile radius of a dispensary are more likely to use marijuana, more likely to use it heavily, and experience more problems related to its use. (*Journal of Addictions*, 2020); and
- Home prices within a 0.36-mile area of a new dispensary fall by three to four percent on average relative to control areas. (*Regional Science and Urban Economics*, 2021).

In addition:

- While states that have retail marijuana dispensaries have higher rates of marijuana-impaired driving, hospitalizations for marijuana poisonings, and hospitalizations for marijuana dependence, it is unclear how close the proximity to dispensaries impacts these consequences; and
- A community's decision to opt-out sends a message that a community does not endorse "getting high" for fun, and that patience and additional data are needed as opposed to experimenting with their families.

The Putnam County Legislature's Health Committee strongly urges you to take these facts into consideration when your municipality considers whether to opt-out to allow time to properly study the issue. The only alternative to opting-out is an irreversible decision to allow the operation of dispensaries and lounges in your municipality on a permanent basis.

Sincerely,

Amy Sayegh
Chairwoman
Health, Social, Educational & Environmental
Committee

Toni Addonizio
Health Committee Member

Ginny Nacerino
Health Committee Member