



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

T-03-PEM-08-25

Review Date

8/14/2025

Municipality

PEMBROKE, T.

Board Name

PLANNING BOARD

Applicant's Name

Foggy Hill Farms LLC

Referral Type

Special Use Permit

Variance(s)

Description:

Special Use Permit and Site Plan Review for a new commercial greenhouse and cannabis distribution operation (no retail).

Location

531 Main Rd. (NYS Rt. 5), Pembroke

Zoning District

Agricultural-Residential (AG-R) District & Med. Density Res. (MDR) Dists.

PLANNING BOARD RECOMMENDS:

APPROVAL WITH MODIFICATION(S)

EXPLANATION:

The required modifications are as follows: 1) The applicant adhere to the established security requirements by the New York State Office of Cannabis Management, including surveillance, perimeter fencing, access control, and alarm system; 2) The applicant obtains a driveway permit from NYS DOT for the new driveway; 3) Given that the project will disturb more than one acre of land, the applicant completes a Stormwater Pollution Prevention Plan (SWPPP) and obtains a Stormwater Permit for Construction Activity from NYS DEC; 4) The applicant provide sufficient landscape screening if desired by neighboring residential uses; 5) On-site lighting shall be installed so as to not shine directly onto neighboring properties; and 6) Any signage complies with the Town's zoning regulations. With these required modifications, the proposed commercial greenhouse and cannabis distribution operation should pose no significant county-wide or inter-community impact.

Director

August 14, 2025

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

DEPARTMENT USE ONLY:

GCDP Referral # T-03-PEM-08-25



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

RECEIVED

By the Genesee County Dept. of Planning at 11:18 am, Aug 01, 2025

Required According to:

GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N

(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATIONBoard(s) Town of Pembroke Planning BoardAddress 1145 Main Rd.City, State, Zip Corfu, NY 14036Phone (585) 599 - 4892 Ext. 105**2. APPLICANT INFORMATION**Name Foggy Hill Farms LLCAddress 142 Waxwing Ct.City, State, Zip E. Amherst, NY 14051Phone (716) 255 - 0324 Ext. Email jmclaughlin024@gmail.comMUNICIPALITY: ☐ City ☒ Town ☐ Village of Pembroke**3. TYPE OF REFERRAL:** (Check all applicable items)☐ Area Variance☐ Use Variance☒ Special Use Permit☒ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☐ Other:

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 531 Main Rd., Corfu NY 14036B. Nearest intersecting road Lake Rd.C. Tax Map Parcel Number 14.-1-78.1D. Total area of the property 66.35 acres Area of property to be disturbed 1.35 AcresE. Present zoning district(s) MDR for 600' from road the remainder is AG-R**5. REFERRAL CASE INFORMATION:**

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☒ NO ☐ YES If yes, give date and action taken

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

SUP is required as indicated in SECTION 402 B 6C. Please describe the nature of this request Construction of a Commercial Greenhouse and Head House for Adult useCannabis, including driveway, parking lot and distribution area.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral☒ Local application☒ Site plan☐ Subdivision plot plans☒ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☐ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☐ Photos☒ Other: past delineation, address verification, state license, owner letter**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name James Wolbert Title CEO / ZEOPhone (585) 599 - 4892 Ext. 105Address, City, State, Zip 1145 Main Rd. Corfu, NY 14036Email zoning-codes@townofpembroke.org

TOWN OF PEMBROKE
1145 MAIN ROAD
CORFU, NEW YORK 14036
585-599-4892

APPLICATION FOR: <input checked="" type="checkbox"/> SPECIAL USE PERMIT <input type="checkbox"/> TEMP. SPECIAL USE PERMIT <input type="checkbox"/> USE VARIANCE <input type="checkbox"/> AREA VARIANCE	<input type="checkbox"/> ZONING APPEAL <input type="checkbox"/> LAND SEPARATION <input type="checkbox"/> SUB DIVISION <input type="checkbox"/> ZONE DISTRICT CHANGE <input checked="" type="checkbox"/> SITE PLAN REVIEW	DATE APPLIED FOR <u>8-1-25</u> APPLICATION NUMBER <u>189</u> REFERRED TO PLANNING <u>8-27-25</u> REFERRED TO ZBA <u>-</u> PUBLIC HEARING REQ. <u>YES</u>
--	--	--

APPLICANT <u>JESSE McLAUGHIN</u> ADDRESS <u>142 WAXINGHAM CT</u> <u>EAST AMHERST NY 14051</u> TELEPHONE # <u>716-255-0324</u>	STREET LOCATION # <u>531 MAIN RD</u> TAX MAP PARCEL # <u>14-1-78.1</u> ZONING DISTRICT <u>MDR and AG-RES</u> SIZE OF PARCEL <u>66.35 ACRES</u> CORNER LOT <u>NO</u>
PROPERTY OWNER (IF OTHER THAN ABOVE) NAME <u>ERIK ADAMCZYK</u> ADDRESS <u>10370 MAIN ST</u> <u>CLARENCE NY 14031</u> TELEPHONE # _____	
CURRENT SET BACK OF BUILDING FRONT _____ REAR _____ SIDE _____	

PERMIT OR VARIANCE FOR: <input checked="" type="checkbox"/> NEW CONSTRUCTION <input type="checkbox"/> ADDITION <input type="checkbox"/> SIGN <input type="checkbox"/> HOME OCCUPATION <input type="checkbox"/> OTHER	IF THIS APPLICATION IS FOR A VARIANCE PLEASE STATE THE SECTION OF THE ORDINANCE UNDER WHICH THE VARIANCE REQUESTED DESCRIBE REASON FOR VARIANCE
---	--

DOES THIS PROJECT REQUIRE APPROVAL FROM THE FOLLOWING? CHECK THOSE THAT APPLY:	
<input type="checkbox"/> GENESEE CO. HEALTH DEPARTMENT <input type="checkbox"/> GENESEE CO. SOIL & WATER <input checked="" type="checkbox"/> DEPARTMENT OF TRANSPORTATION <input checked="" type="checkbox"/> COUNTY PLANNING DEPARTMENT <input checked="" type="checkbox"/> D.E.C.	<input type="checkbox"/> TOWN BOARD <input type="checkbox"/> Z.B.A. <input checked="" type="checkbox"/> PLANNING BOARD <input checked="" type="checkbox"/> PUBLIC HEARING

DESCRIPTION OF PROPOSED PROJECT OR REASON FOR PERMIT REQUEST <u>TO CONSTRUCT A COMMERCIAL GREENHOUSE AND HEAD HOUSE THAT WILL INCLUDE DRIVEWAY PARKING LOT AND SHIPPING AREA</u>
--

INSTRUCTIONS FOR COMPLETING THIS APPLICATION: 1. INCLUDE SITE SKETCH PLAN, PREFERABLY A LAND SURVEY WITH CURRENT AND PROPOSED SET BACKS. 2. IF APPLICANT IS NOT THE OWNER OF THE LAND ON WHICH THE PROPOSED PROJECT IS LOCATED, THEY ARE THEN REQUIRED TO OBTAIN WRITTEN PERMISSION FROM THE LAND OWNER FOR THE PROJECT. 3. A SEQF FORM (EAF) MUST BE INCLUDED WITH THE APPLICATION. 4. APPLICANT OR REPRESENTATIVE SHOULD ATTEND PLANNING BOARD AND/OR ZBA MEETING.
--

NOTE: IF THE REQUEST IS FOR A USE OR AREA VARIANCE, THE PLANNING BOARD'S ONLY ACTION WILL BE TO MAKE A RECOMMENDATION TO THE ZONING BOARD OF APPEALS FOR APPROVAL OR DISAPPROVAL.

APPLICANT SIGNATURE _____ DATE _____

To Whom it May Concern,

This letter is confirmation that I support this application being submitted for planning approval for the development project located at 531 Main St, Pembroke, NY 14036.

Best Regards,

Erik Adamczyk

A handwritten signature in black ink, appearing to read 'Erik Adamczyk', written in a cursive style.

Certificate of Licensure

New York State Adult-Use Cannabis Program



Office of Cannabis
Management

License Number : OCM-MICR-24-000013 License Type : Adult-Use Microbusiness License

Entity Name : Foggy Hill Farms, LLC DBA : _____

Effective Date: 03-Mar-2024 Expiration Date: 03-Mar-2026

Operating Address : 531 Main Rd Pembroke NY 14036

STREET CITY STATE ZIP

Business Purpose : Adult-Use Cultivation, Adult-Use Distributor

The Adult-Use Cannabis Licensee must comply with all applicable state and local laws and regulations. This includes but is not limited to the Cannabis Law and its implementing regulations. An Adult-Use Cannabis Licensee's failure to comply with these laws and regulations may result in revocation of the license or permit, and the imposition of civil penalties, or any other enforcement action, as provided for in state and local laws and regulations, including but not limited to, the Cannabis Law and its implementing regulations. This license or permit is not a property or vested right.



New York State
Accredited Agency

Office of the Sheriff

Genesee County, New York

Joseph M. Graff, Sheriff

Bradley D. Mazur, Undersheriff

May 6, 2025

Erik Adamczyk
10370 Main Street
Clarence, NY 14031

To whom it may concern;

Re: 9-1-1 Address Verification

The following address, **531 Main Rd, Pembroke, NY, 14036** has been assigned to tax parcel **14.-1-78.1**. You may be required to notify your service providers and creditors. A copy of this letter will be sent to the Town of Pembroke Clerk's Office, the Genesee County Clerk, the Genesee County DPW, the Genesee County Real Property Assessment Department and the United States Postal Service.

For your convenience, we have included a checklist to cover posting requirements, E911 test calls, and frequently asked questions. Please complete and return the checklist within thirty days of receiving this letter.

If you have any questions, concerns, or need any assistance with this process, please feel free to contact me at 585-345-3000 ext. 3419.

Sincerely,

Justin T. Allen
Public Safety Systems Manager

Sheriff's Office
165 Park Road
Batavia, NY 14020
(585) 345-3000
FAX: (585) 343-9129

Genesee County Jail
P.O. Box 151
Batavia, NY 14021-0151
(585) 343-0838
FAX: (585) 344-2541

Genesee Justice
14 West Main Street
Batavia, NY 14020
(585) 815-7821
FAX: (585) 345-3095

**Justice for Children
Advocacy Center**
304 East Main Street
Batavia, NY 14020
(585) 344-8576
FAX: (585) 345-3090

Animal Shelter
3841 West Main Street
Batavia, NY 14020
(585) 343-6410
FAX: (585) 345-3075

cc: Genesee County Sheriff
Genesee County Clerk's Office
Genesee County Real Property
Town of Pembroke Clerks Office
Genesee County DPW
United States Postal Service

617.20
Appendix B
Short Environmental Assessment Form

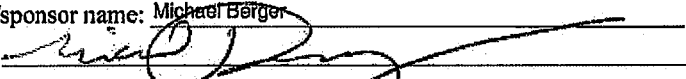
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

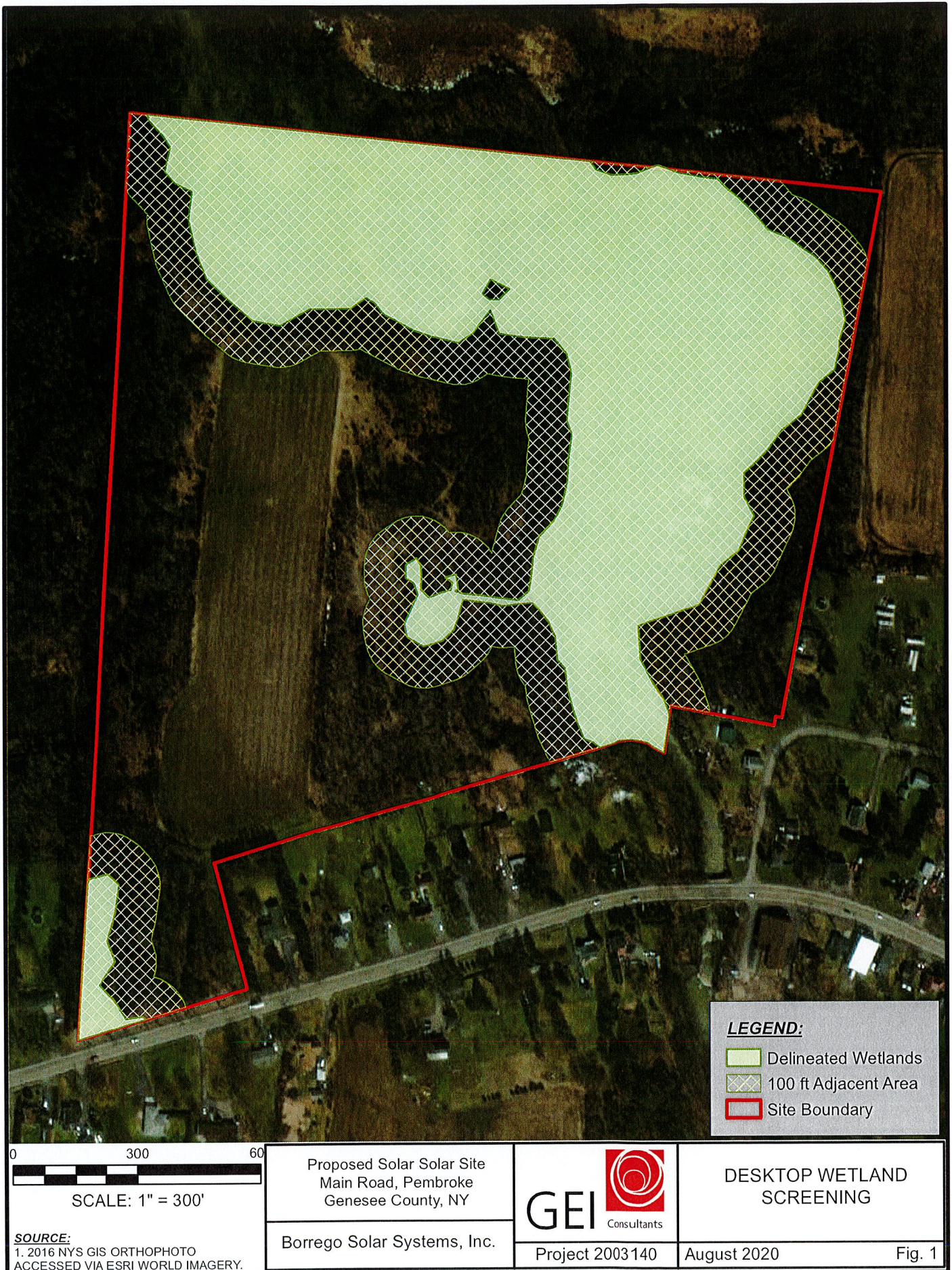
Part 1 - Project and Sponsor Information							
Name of Action or Project: Foggy Hills Farm LLC							
Project Location (describe, and attach a location map): 531 Main Road Pembroke, NY 14036							
Brief Description of Proposed Action: New construction of a Pre-engineered Metal Building for agricultural purposes							
Name of Applicant or Sponsor: Sutton Architecture		Telephone: 716-932-7156 E-Mail: mikeb@design2build.com					
Address: 5409 Main Street							
City/PO: Williamsville		State: NY	Zip Code: 14221				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Planning, building permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 66.35 acres b. Total acreage to be physically disturbed? 1.35 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 206 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

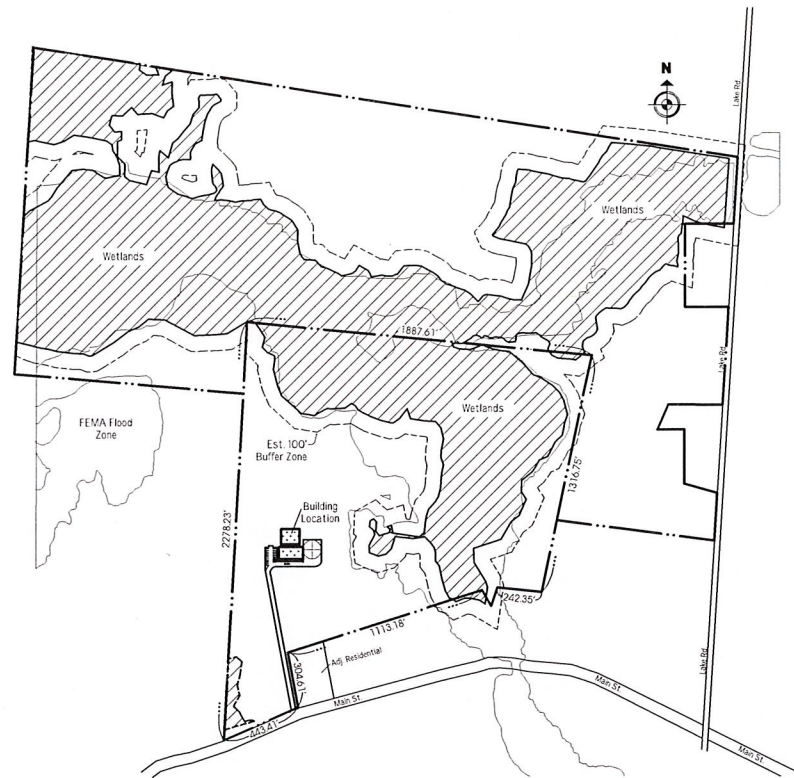
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: <u>Wetland / FEMA Flood Zone</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: <u>Project will meet the State energy requirements</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ <u>Private water supply</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ <u>septic system will be installed</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ <u>No, while adjacent this scope of work does not encroach or alter the existing wetlands</u>			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,			
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ retention ponds and leach fields will be provided per civil design for the project	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Michael Berger</u>		Date: <u>07.29.25</u>
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

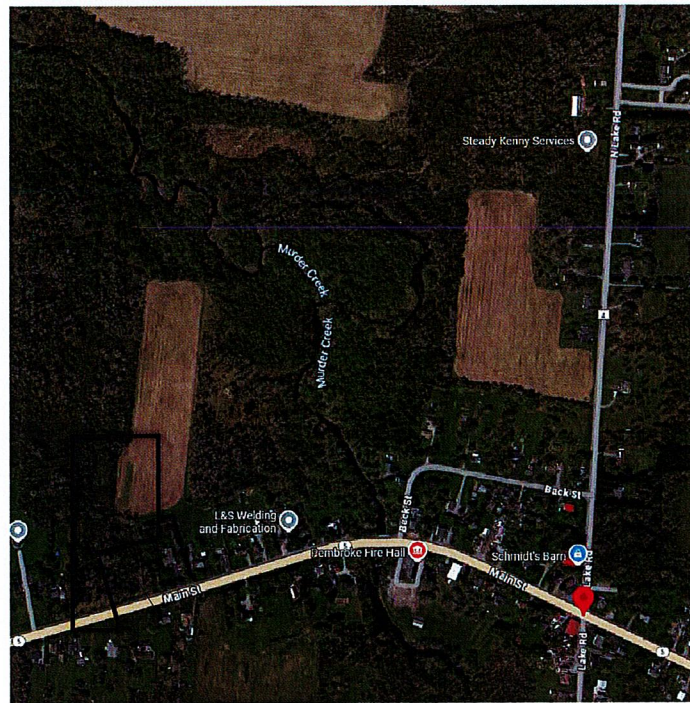




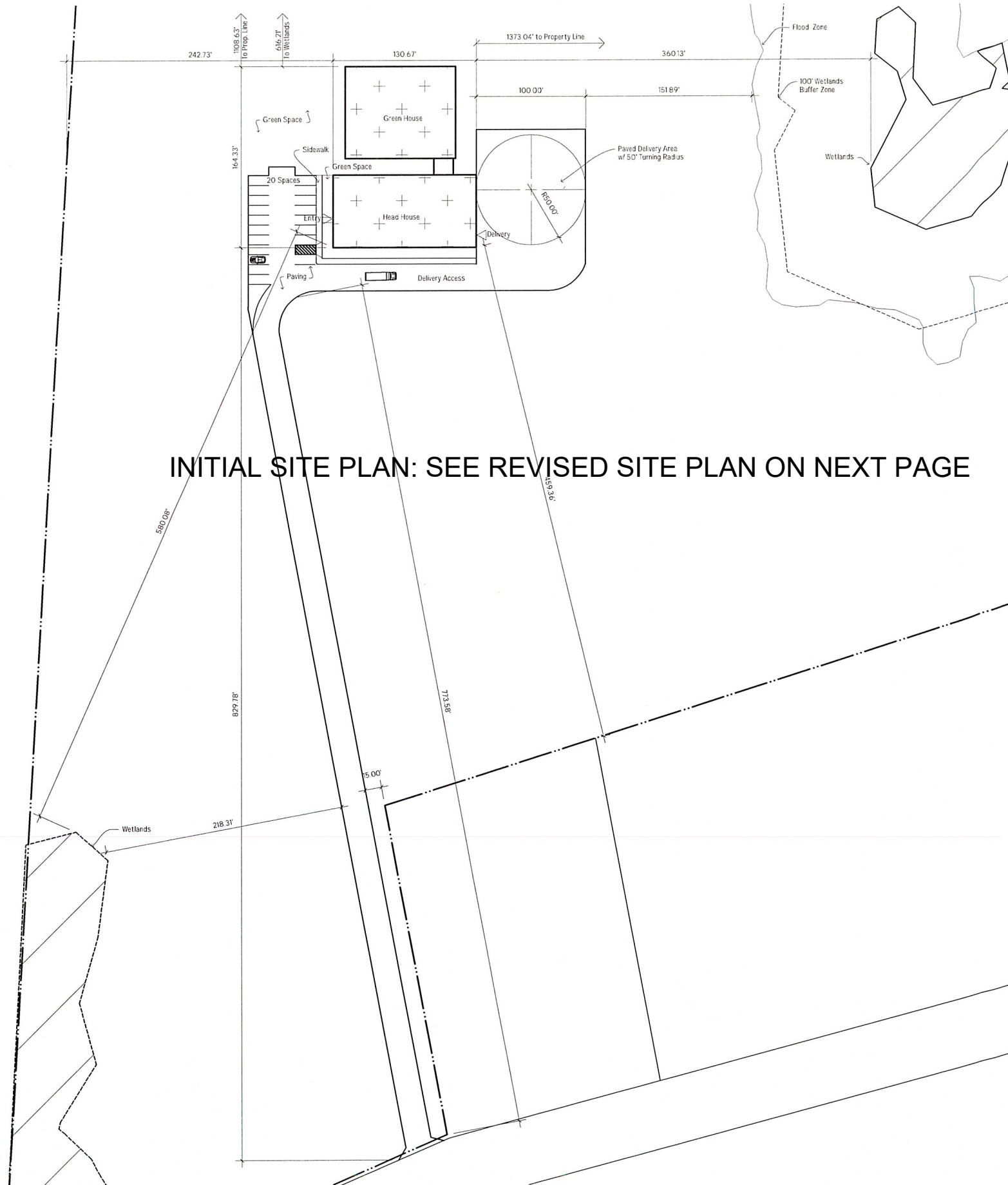
1 Key Site Plan

Key

- Wetlands
- 100' Buffer Zone Away From Wetlands
- FEMA Flood Zone
- Property Line



2 Aerial Photo



3 Enlarged Site Layout

INITIAL SITE PLAN: SEE REVISED SITE PLAN ON NEXT PAGE



5409 Main Street
(Second Floor)
Williamsville, NY 14221
(716) 932-7156 Fax 932-7873

Job Number:
25-256

Proposed
Build For:

**Foggy Hills
Farm L.L.C.**

531 Main Road
Pembroke, NY 14036

Copyright Sutton Architecture© 2025

No.	Description	Date	By

WARNING:
It is a violation of Article 147, Section 7503
of the New York State Education Law for any
person to alter an item, in any way, on this
document, unless under the direction of a
licensed Architect.

Title:
**Preliminary Site
Layout**

Drawn By:
L. DerSarkissian
Date:
07-3-25
Checked:
M. Berger
Scale:
As Shown

Sheet No.:
C-1

Progress Drawings Not For Construction

1" = 50'-0"

Proposed
Build For:

531 Main Road
Pembroke, NY 14036

Copyright Sutton Architecture® 2025

[illegible]

WARNING:
It is a violation of Article 147, Section 7303
of the New York State Education Law for any
person to alter an item, in any way, on this
document, unless under the direction of a
licensed Architect.

Title: Preliminary Site Layout

Drawn By:	L.DerSarkissian
Date:	08-01-25
Checked:	M. Berger
Scale:	As Shown

Sheet No.:

C-1

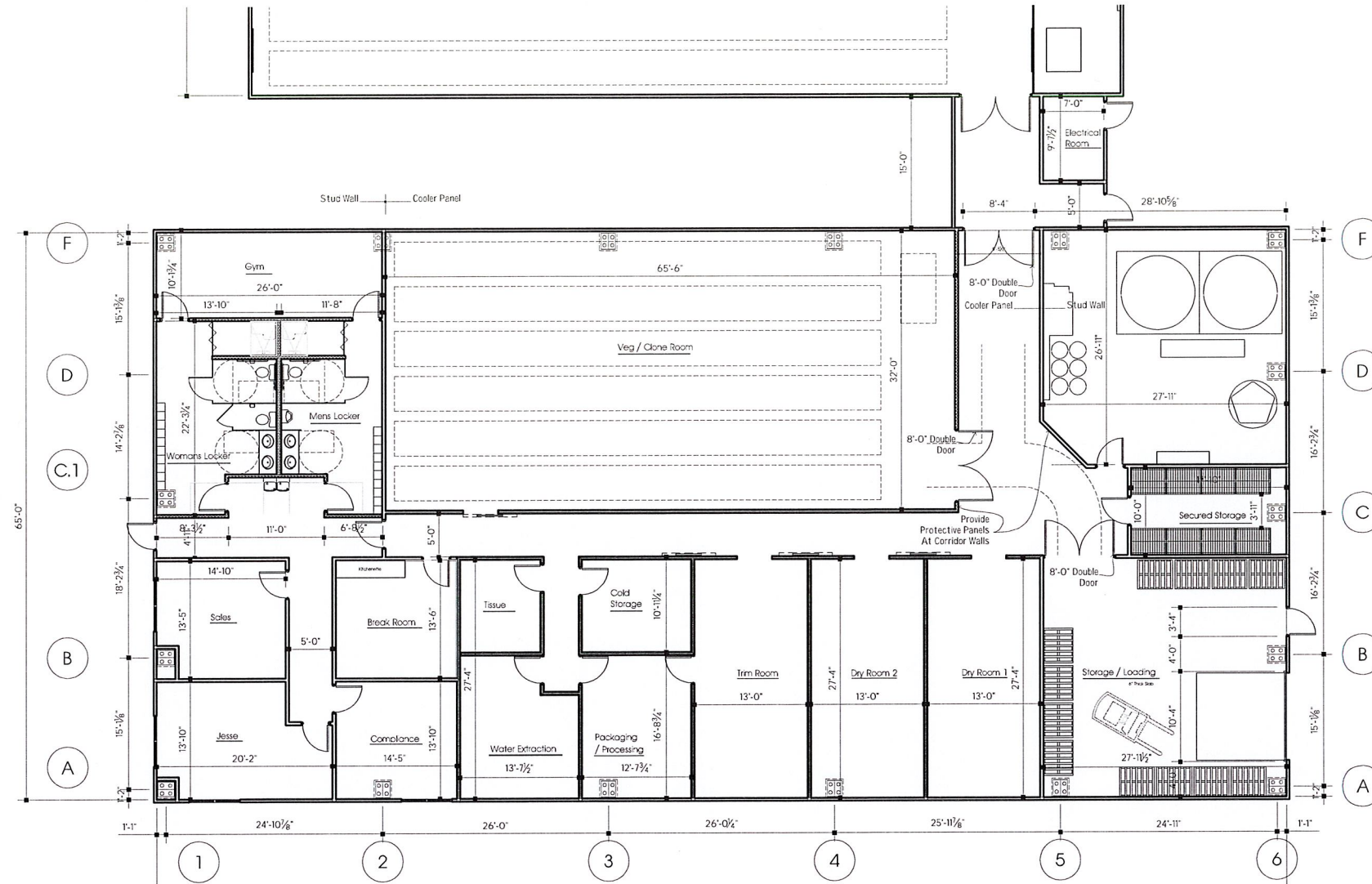
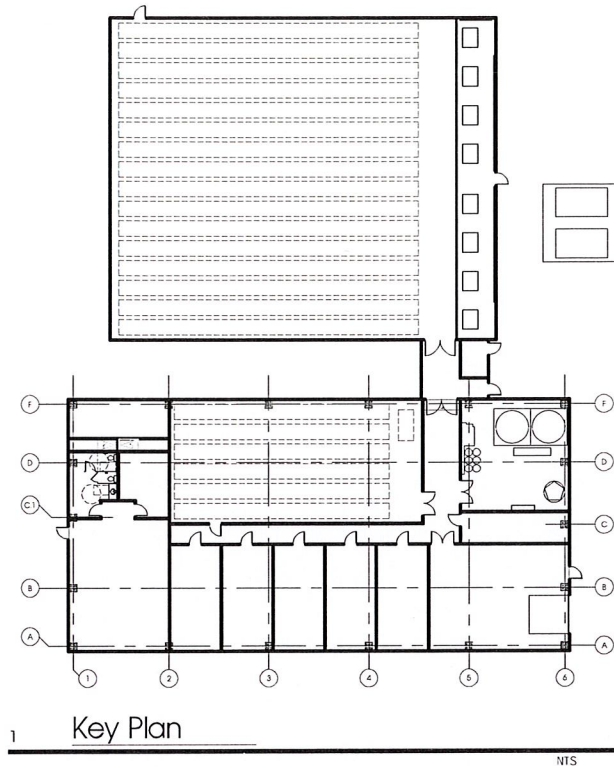


2 Area Aerial Photo



Progress Drawings Not For Construction

$$1'' = 50^{\circ} - 0''$$



Wall Key

- Cooler Panel
- Stud Wall
- Insulated Stud Wall



5409 Main Street
(Second Floor)
Williamsville, NY 14221
(716) 932-7156 Fax 932-7873

Job Number:
25-256

Proposed
Build For:

**Foggy Hills
Farm L.L.C.**

Pembroke, NY

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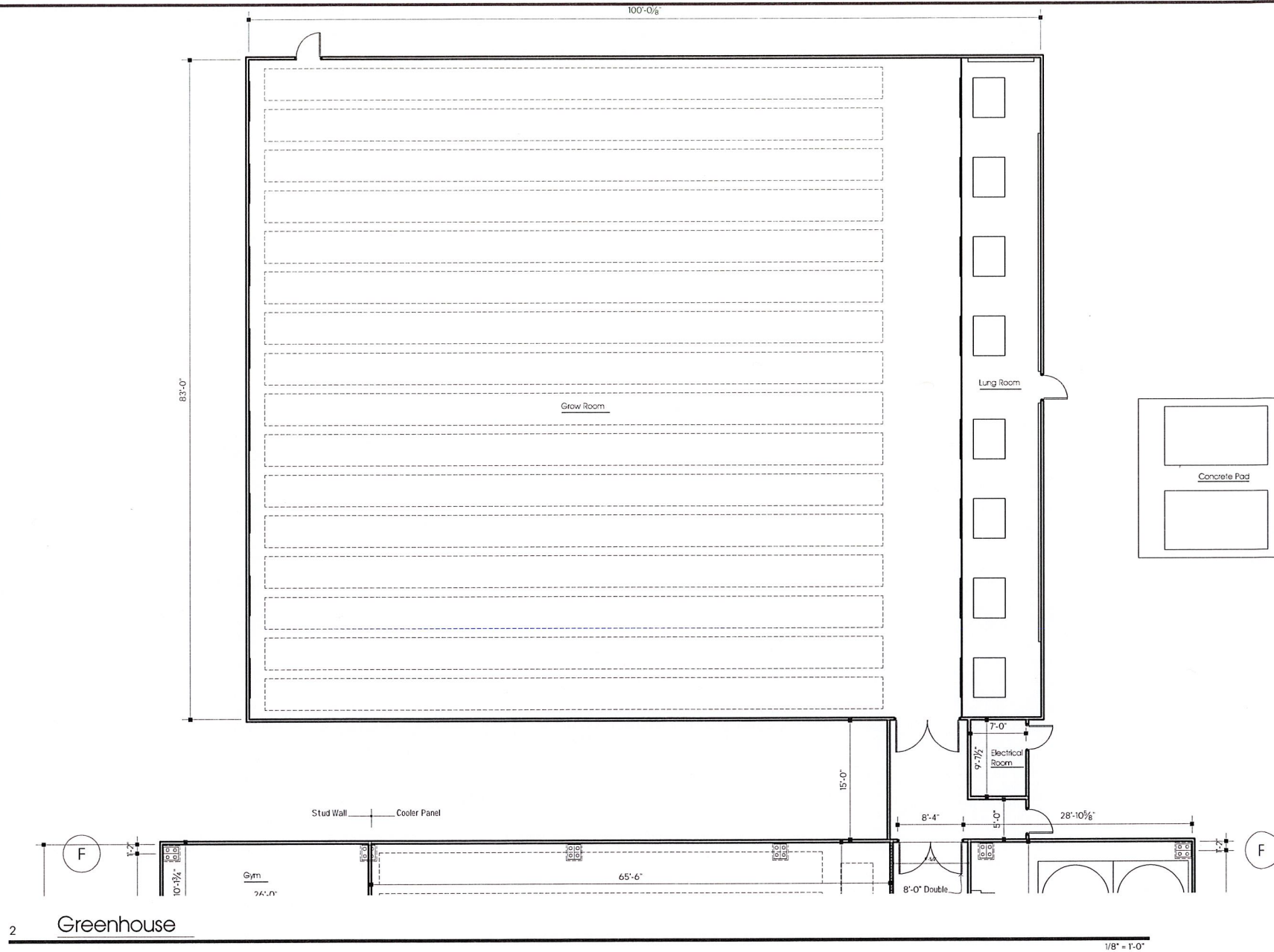
No.	Description	Date	By

WARNING:
It is a violation of Article 147, Section 7503
of the New York State Education Law for any
person to alter an item, in any way, on this
document, unless under the direction of a
licensed Architect.

Title:
Preliminary Layout

Drawn By:
L. Der Sarkisian
Date:
06-19-25
Checked:
M. Berger
Scale:
As Shown

Sheet No.:
A-1



Drawn By: L. DerSarkissian	Sheet No.: A-2
Date: 06-19-25	
Checked: M. Berger	
Scale: As Shown	

From: [Jesse McLaughlin](#)
To: [Felipe Oltramari](#)
Cc: [Mike Berger](#); [Julie Boasi](#); [James Wolbert](#)
Subject: Re: Genesee County Planning Board Referral Receipt
Date: Wednesday, August 13, 2025 8:26:50 AM
Attachments: [image001.png](#)

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#) | [Report](#)

Good Morning Felipe,

I would like to address the county's concern regarding the security of the facility. I've attached below the security measures that Foggy Hill Farms will provide at 531 Main St. in compliance with the NYS Office of Cannabis Management.

Also, Mike and I will be meeting today to iron out the remaining issues to make sure we are fully prepared for these questions to be addressed and answered at tomorrow's meeting.

Thanks,
Jesse

Security measures that will take place is:

A perimeter alarm that communicates with an internal designee and a third-party commercial central monitoring station when intrusion is detected

Video camera surveillance:

- In and directed at all areas that may contain cannabis, such as where cannabis is cultivated, harvested, trimmed, stored, handled, and transferred
- Directed at all surveillance areas or rooms
- Directed at all points of entry and exit
- In any parking lot

Video camera surveillance systems will:

- Provide a clear view of the location in which the video camera is directed
- Include a date and time stamp embedded on all recordings
- Produce continuous recordings during hours of operation and at any time that cannabis is handled, and motion activated recordings at all other times
- Be available for immediate viewing by the Office, via remote access or login credentials, upon request
- Retain all recordings for at least 60 days
- Security system will include a failure notification system that provides an audible, text, or visual notification of any failure in the security system
- The failure notification system will provide an alert to the licensee's designated representative(s) within five minutes of the failure, either by telephone, email, or text message

Security alarms and video surveillance system will:

- Have the ability to remain operational during a power outage for a minimum of eight hours
- Areas where cannabis is stored, as well as areas where security equipment and recordings are stored, will be restricted to:

1. Authorized licensee personnel
2. Employees of the Office or its authorized representatives
3. Emergency personnel responding to an emergency

4. Other individuals authorized by the licensee for the sole purpose of maintaining the operations of the facility

Security of Stored Cannabis:

Cannabis will be stored in a secure, locked safe, vault, or other approved equipment or location within the licensed premises to prevent diversion, theft or loss. This Cannabis storage will also protect against physical, chemical and microbial contamination, and deterioration of the Cannabis. Cannabis within storage areas will be kept out of plain sight and not visible from a public place outside of the licensed premises.

On Tue, Aug 12, 2025 at 8:38 AM Felipe Oltramari <Felipe.Oltramari@geneseeny.gov> wrote:

Michael,

Thanks for reaching out. Yes, that would be helpful. The room has TV monitors. I can bring up anything that was included in the packet sent by the Town, but if there are other plans or drawing you want to bring up please email them to me prior to the meeting and I can add them to the file.

FYI issues we are thinking about include:

- 1) Security, especially any security requirements by the New York State Office of Cannabis Management, including surveillance, perimeter fencing, access control, and alarm system
- 2) Driveway permit from NYS DOT for the new driveway
- 3) Stormwater Permit for Construction Activity from NYS DEC, including Stormwater Pollution Prevention Plan (SWPPP)
- 4) Landscape screening if desired by neighboring residential uses
- 5) On-site lighting
- 6) Signage

Thanks,

-Felipe

Felipe A. Oltramari AICP CNUa

Director

Genesee County Department of Planning

3837 West Main Street Road

Batavia, NY 14020-9404

Felipe.Oltramari@geneseeny.gov

(585) 815-7901

Visit our website: geneseeny.gov/planning

From: Mike Berger <mikeb@design2build.com>
Sent: Tuesday, August 12, 2025 7:46 AM
To: Jesse McLaughlin <jmclaughlin024@gmail.com>; Felipe Oltramari <Felipe.Oltramari@geneseeny.gov>
Cc: Julie Boasi <Julie.Boasi@geneseeny.gov>; James Wolbert <zoning-codes@townofpembroke.org>
Subject: RE: Genesee County Planning Board Referral Receipt

Felipe

Do you need me to bring any materials for the planning board meeting?

I can bring large format boards or a flash drive to present on a screen (everyone does things a little different)

Just let me know the preferred method for presentation

Thank You

Michael Berger

Partner / Project Manager

Tel: 716.932.7156 x205

Fax: 716.932.7873

5409 Main Street

Williamsville, NY 14221

mikeb@design2build.com



From: Jesse McLaughlin <jmclaughlin024@gmail.com>
Sent: Thursday, August 7, 2025 10:04 AM
To: Felipe Oltramari <Felipe.Oltramari@geneseeny.gov>
Cc: Julie Boasi <Julie.Boasi@geneseeny.gov>; James Wolbert <zoning-codes@townofpembroke.org>; Mike Berger <mikeb@design2build.com>
Subject: Re: Genesee County Planning Board Referral Receipt

Thank you for the update Felipe. Have a great day!

Jesse

On Thu, Aug 7, 2025 at 9:52 AM Felipe Oltramari <Felipe.Oltramari@geneseeny.gov> wrote:

Please note, per the applicant's request we have made the following change:

Applicant's Name: **Foggy Hill Farms LLC**

Thank you

-Felipe

Felipe A. Oltramari AICP CNUa

Director

Genesee County Department of Planning

[3837 West Main Street Road](#)

[Batavia, NY 14020-9404](#)

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From: Felipe Oltramari
Sent: Friday, August 1, 2025 1:13 PM
To: 'jmclaughlin024@gmail.com' <jmclaughlin024@gmail.com>
Cc: Julie Boasi <Julie.Boasi@geneseeny.gov>; James Wolbert <zoning-codes@townofpembroke.org>; 'mikeb@design2build.com' <mikeb@design2build.com>
Subject: Genesee County Planning Board Referral Receipt

Please be advised that the Genesee County Department of Planning is in receipt of planning referral **T-03-PEM-08-25** in the Town of Pembroke, NY.

Applicant's Name: **Jesse McLaughlin**

Type of Referral: **Special Use Permit/Site Plan Review**

The Genesee County Planning Board will review this referral at its meeting at [County Building 2, 3837 W. Main Street Rd., Batavia, NY](#) on Thursday, August 14, 2025 at 7:00 P.M.

Attendance by the applicant is encouraged but not mandatory. Virtual attendance (via Zoom) is possible, please inquire if desired.

Please note: Doors open at 6:30 PM at which time a sign-in sheet will be available. Referrals are heard in the order of the sign-in sheet.

Referral Recommendations/meeting results are emailed to the municipalities the day after the meeting and are also usually posted the next day on the following website:

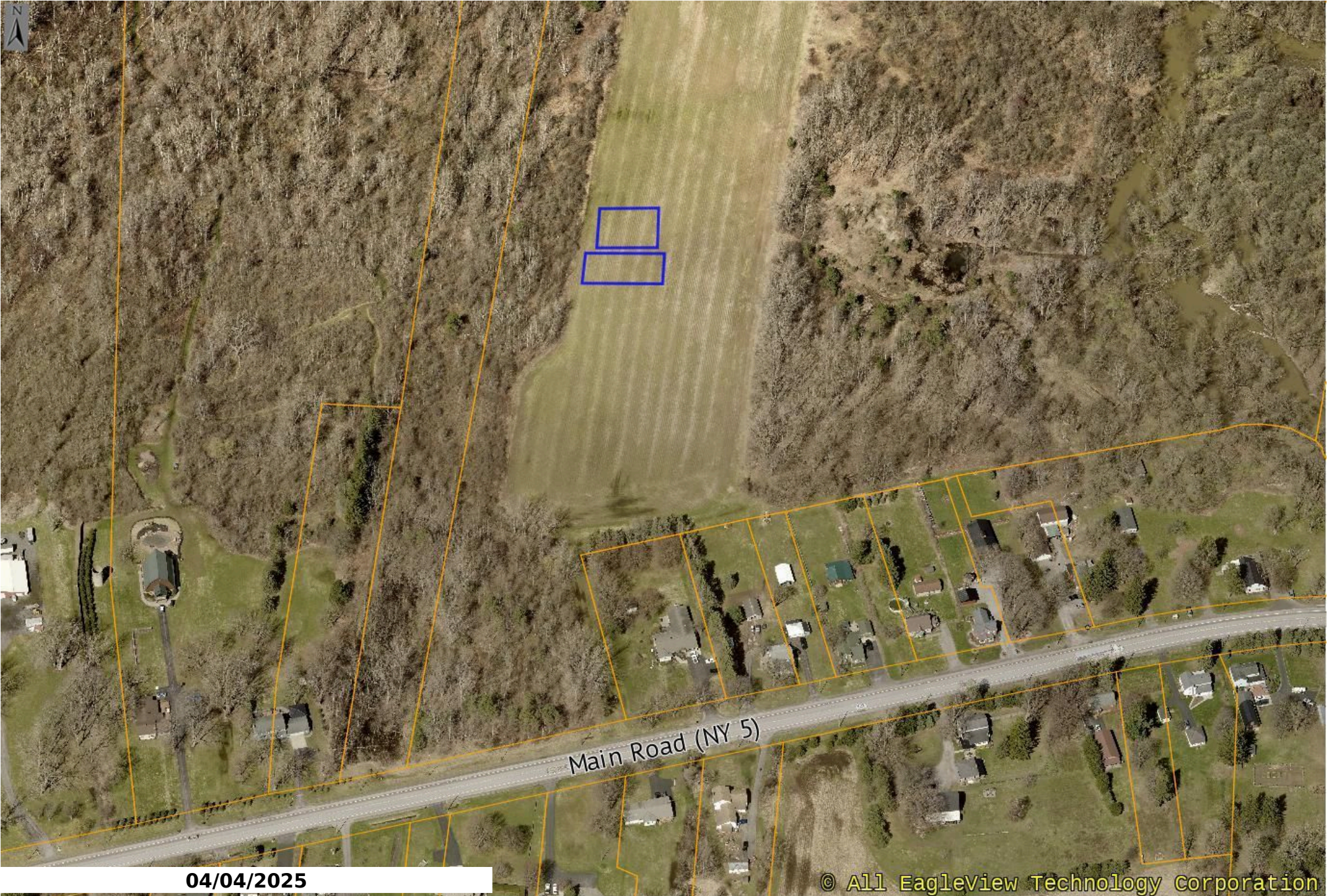
<https://www.geneseeny.gov/Department-Content/Planning/Referral-Recommendation>

Please do not hesitate to contact me with any questions

-Felipe

Felipe A. Oltramari AICP CNUa
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T-03-PEM-08-25



04/04/2025

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