

# As retail marijuana inches closer to reality, one CNY town has some unusual rules for sellers

- Updated: Apr. 21, 2023, 6:01 a.m.]
- Published: Apr. 21, 2023, 6:00 a.m.



Recreational marijuana is now legal in New York

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Skaneateles, N.Y. – If you want to open a retail shop selling pot in the town of Skaneateles, you will need to find a large lot.

Skaneateles board members have passed some tight restrictions on where cannabis retailers can set up a business, according to town officials and industry experts.

The town passed a local law that says cannabis retailers have to locate on a parcel no smaller than 2.5 acres. That lot also has to be entirely within the town's highway commercial zone. Plus, there are parking requirements.

The lakeside town is among the first in Onondaga County to enact a local law about where cannabis dealers can sell flower, gummies, rolled cigarettes and other products that include THC -- the chemical that gets you high. Several others are discussing it.

The state has awarded 165 retail licenses under a program intended to provide "social equity" for those impacted by criminal enforcement in the past. But there

are [only seven state-licensed shops now open](#). Four are in New York City, with one each in Binghamton, Ithaca and Schenectady.

There are dozens of retail outlets operating on Indian nation territory Upstate. The closest to Syracuse is operated by the Cayuga Nation in Union Springs, Cayuga County. The Oneida Indian Nation plans to open retail outlets later this year on its territories in Oneida and Madison counties.

Despite the slow start, some towns and villages in Onondaga County are starting to think about where they want the shops to operate. Here, more than a dozen villages or towns voted to prohibit marijuana sales. Another handful voted to allow sales but block cannabis consumption sites. The village of Skaneateles opted out. But [the town of Skaneateles](#) agreed to allow retail pot dispensaries, though not on-site consumption. Skaneateles' rules are more restrictive than some other municipalities, and town Supervisor Janet Aaron said that's how the board wants it

The state allows localities to determine time, place and manner of where cannabis businesses are set up as long as those rules aren't unreasonably impractical or overly restrictive, said Axel Bernabe, chief of staff and senior policy director with the state's Office of Cannabis Management.

"The hope is to not treat these businesses any differently than a liquor store, for example," he said.

The state has a framework for regulations, but that won't be finalized until November. That means Skaneateles might have to tweak its rules, which were approved last year.

DeWitt and Fayetteville lawmakers are considering rules that are more standard, such as requiring the shops to be 1,500 feet apart and 500 feet from schools, churches, synagogues, libraries, parks and playgrounds.

Skaneateles' requirement that a dispensary be located on a 2.5-acre lot within a highway commercial zone "is in a gray zone" at this point, Bernabe said. Whether that fits with the spirit of the law is yet to be determined, he said.

The localities shouldn't set rules so strict that the area becomes untenable for business. "They had the choice to opt out," Bernabe said.

At the same time, localities often have an idea of how these dispensaries fit into their town or village and its culture, said Ellie Siegel, founder and chief executive officer of Longview Strategic, a consulting firm with expertise in the cannabis industry.

“Some want the dispensary right on the main drag, others want it out on a highway and still others want it tucked away in a corner away from any traffic,” she said.

Locating in a highway district means there will be traffic, but it might be costly to acquire such a large lot, she said.

Whatever the municipality sets up for rules, the idea is that they shouldn’t be a burden on the operator, Siegel said. For example, one village in another state looked at hours from 3 to 8 p.m., and that would be burdensome because it could limit business, she said.

Skaneateles town officials want dispensaries along stretches of Route 20 on the east and west gateways to the village, and on Fennell Street outside the village. No lots that size are located on Fennell Street, according to Onondaga County Planning Board minutes.

Along Route 20, there are 63 parcels. Of those, 11 are 2.5 acres or more and an estimated three are undeveloped, according to a town zoning map. Town officials said there are enough lots as some with existing uses could well be converted to dispensaries. Or someone could combine lots to make a larger parcel, they said. The new local law also requires one parking space for each 75 square feet devoted to merchandising within a dispensary.

These dispensaries do tend to attract a lot of curious customers, at least at first, so ample parking may indeed be needed, Siegel said. And the larger lots may just be “an artful way of making sure there aren’t too many dispensaries in the town,” she said.

With marijuana now legal in New York state, cities, towns and villages [had until the end of 2021](#) to decide to opt in or out of allowing [retail weed dispensaries and on-site consumption](#) in their localities. Votes to opt-out can be reversed in the future, under the state law. But an opt-in, even by default, is final.

*Elizabeth Doran covers education, suburban government and development, breaking news and more. Got a tip, comment or story idea? Contact her anytime at 315-470-3012 or email [edoran@syracuse.com](mailto:edoran@syracuse.com)*