

AS ACTED UPON DURING A DULY NOTICED OPEN MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL AT 475 CALKINS ROAD, HENRIETTA, NEW YORK ON DECEMBER 6, 2023 AT 6:00 P.M.

RESOLUTION #25-405/2023

To approve Special Use Permit Application No. 2023-039 for a retail cannabis dispensary at 324 Jefferson Road.

On Motion of  
Councilmember Bellanca

Seconded by  
Councilmember Sefranek

WHEREAS, Durnan Realty LLC (the "Applicant") has applied for a Special Use Permit (application No. SP2023-039) under Henrietta Town Code §295-14[B](13) for an adult use cannabis retail dispensary (the "Application") to be located in a Commercial B-1 District at 324 Jefferson Road, Rochester, New York 14623 (the "Property"), or as more particularly described in plans on file in the Town Clerk's Office; and

WHEREAS, the Property meets the requirement of §295-14[B](13) of having street frontage to Jefferson Road and being located between John Street and Winton Road; and

WHEREAS, the Property does not have a church, school, park, or property whose primary business is directed towards minors located within the 1,000-foot buffer as part of the additional Special Use Permit requirements detailed in §295-54.1[B](2); and

WHEREAS, a public hearing was duly advertised for and held relative to the same on November 15, 2023 at 6:00 p.m. and on December 6, 2023 at 6:00 p.m.; and

WHEREAS, the Town Board has carefully considered all information relevant to the Application, including but not limited to the Application, correspondence and oral testimony from the public, and correspondence and oral testimony from the Applicant; and

WHEREAS, the Town has referred the application to the Monroe County Planning Board pursuant to NY General Municipal Law Section 239 and the Town has incorporated any comments and feedback from the Monroe County Planning Board; and

WHEREAS, the Town Board has considered each of the factors for assessing the requested Special Use Permit approval, including as set forth in Town Code Section 295-54.

THEREFORE, BE IT RESOLVED, that, in considering the Special Use Permit factors, including in considering all information based on the record, including feedback from the Monroe County Planning Board and other interested or involved County or State agencies, public comments, those reasons discussed at the public meeting related to the same, and all materials submitted related to such Application, and based upon applicable law, and in consideration of any conditions set forth herein, the Henrietta Town Board finds that the Special Use Permit factors support approval of the Application, subject to the applicant obtaining a final license from New York State to operate a cannabis adult-use retail dispensary.

BE IT FURTHER RESOLVED, that based upon the aforementioned, the Town Board hereby grants approval for the Application to operate an adult use cannabis retail dispensary, subject to the following condition(s):

1. Prior to operating the dispensary, that the Applicant obtain all necessary government approvals to operate said retail cannabis dispensary, including an adult-use cannabis retail dispensary license from the New York State Office of Cannabis Management.
2. The dispensary shall be operated in accordance with all applicable laws, rules and regulations.
3. That all cannabis sale activity shall take place within the interior of the building. No sales may occur outside, under tents, or under a portico or similar physical structure.
4. That on-site consumption of cannabis products, either in-store or on-site, such as in the parking lot or adjacent areas, is prohibited, and that diligence is expected from the operation to prevent this from occurring. Note specifically that On-site Consumption sites are not permitted in the Town of Henrietta. The failure to prohibit/protect against those improperly consuming cannabis products in-store or on-site may result in the revocation of this Special Use Permit by the Town Board.
5. That the operation exercises diligence with respect to child-proof containers, packaging that does not entice children, buyer identification procedures, monitoring the facility inside and out, the use of a safe and other cash-handling protocols, and other procedures and protocols to ensure the legal sale of the cannabis products and to help prevent the cannabis products from falling into the hands of minors. The failure to maintain adequate safeguards or a material departure from what was presented to the Town Board during the application process may result in the revocation of this Special Use Permit by the Town Board.

Duly put to a vote:

Councilmember Sefranek	Aye
Councilmember Bolzner	Aye
Councilmember Page	Aye
Councilmember Bellanca	Aye
Supervisor Schultz	Aye

RESOLUTION ADOPTED

Durnan Realty, LLC  
400 Western Dr.  
Rochester, NY 14623

My name is Paul K. Viele. I am the general manager of Durnan Realty, LLC, the owner of the property located at 324 Jefferson Rd., Town of Henrietta, NY.

I am negotiating with tenants who intend to use the property as a cannabis retail dispensary in accordance with the NYS CAURD (cannabis adult use retail dispensary) laws.

Cannabis will be sold in the form of inhalants, edibles, oils, etc. Associated accessories will also be sold.

The hours of operation will be 10:00am - 8:00pm Sunday - Saturday.

Paul K. Viele, GM. Durnan Realty, LLC

X Paul K. Viele, GM

10/18/23

**TopTierCo, LLC D/B/A Serenity Now Dispensary**  
**324 Jefferson Rd, Henrietta, NY 14623**  
**Business Continuity Plan**

**Executive Summary**

TopTierCo, LLC d/b/a “Serenity Now Dispensary” is a New York limited liability company owned and operated by its sole member, Mike Gruttadaro. Mr. Gruttadaro, a lifelong resident of Rochester, NY, is the quintessential small businessman, as he owns six other companies across a range of industries from real estate to service-based businesses. This experience has equipped Mr. Gruttadaro with a strong foundation in strategic planning, operational efficiency, and regulatory compliance, which will allow him to thrive in the highly regulated environment that is New York’s adult-use cannabis market. Moreover, with control over a location in a high-traffic area in a thriving suburb, Serenity Now Dispensary is poised to become a cornerstone of the Henrietta community. Serenity Now’s mission to offer quality cannabis products will serve the region for years to come, generating substantial state and local tax revenue.

**Succession Plan**

In the event that Mr. Gruttadaro can no longer run the retail dispensary, his brother, who is also a member of Mr. Gruttadaro’s current LLCs, would seamlessly step in as the successor, ensuring the continuity of the business. With his commitment to compliance with New York State policy and law within our current businesses, the company has full confidence that he possesses the knowledge and capabilities needed to seamlessly take over and effectively run the retail cannabis dispensary, if need be.

**Operational Goals**

The three major goals Serenity Now Dispensary aims to accomplish are:

1. **Provide Quality Products:** Offering a wide range of cannabis products, including, flower, edibles, and tinctures, all sourced from reliable and compliant suppliers.
2. **Educate and Inform:** Our well-trained staff will guide customers in making informed choices about their cannabis needs, ensuring safe and responsible usage.
3. **Community Engagement:** Serenity Now Dispensary believes in giving back to the community and fostering partnerships with local organizations to create a stronger, healthier Henrietta.

**Economic Impact**

Serenity Now Dispensary’s presence at 324 Jefferson Rd is expected to have a significant economic impact:

1. **Tax Revenue:** As a major taxpayer, Serenity Now Dispensary anticipates contributing significantly to local property and sales tax revenue.
2. **Job Creation:** The dispensary will create job opportunities for local residents.
3. **Local Businesses:** Increased foot traffic will benefit neighboring businesses, from restaurants to retail stores.

**Community Engagement**

Serenity Now Dispensary commitment to the Henrietta community extends beyond our products and profits:

1. **Community Events:** Serenity Now Dispensary will host educational seminars and community events to foster a deeper understanding of cannabis and its responsible use.
2. **Local Sourcing:** We will prioritize local supplies and vendors to support the regional economy.
3. **Social & Economic Equity:** Partnering with local charities and organizations, we will contribute to the betterment of Henrietta and seek to assist those communities and individuals disproportionately impacted by cannabis enforcement.

**Regulatory Compliance**

Serenity Now Dispensary is dedicated to strict compliance with all state and location regulations. Serenity Now Dispensary will work closely with Henrietta authorities to ensure adherence to zoning, security, and operations requirements.

**Sustainability**

TopTierCo is committed to sustainability in our operations, from eco-friendly packaging to energy-efficient lighting and waste reduction. We will continually explore ways to minimize our environmental footprint.

**Conclusion**

Serenity Now Dispensary represents an opportunity for sustained growth and economic benefit for both New York State and the local community. Our commitment to providing quality products, community engagement, and regulatory compliance will make Serenity Now Dispensary an integral part of the Henrietta business landscape, promoting responsible cannabis use and contributing to the town’s prosperity. Serenity Now Dispensary looks forward to being a long-term partner in the growth and development of Henrietta, NY.

## **Business Continuity Plan Continued**

### **Application Standards**

In accordance with the Town Code 295-54, The Town Board should grant the applicant's application for the following reasons:

The operation of a cannabis retail dispensary at 324 Jefferson Road is substantially consistent in its scale and character with those uses permitted and the existing building permitted use in the B-1 District and neighborhood. The surrounding properties consist of the uses permitted in the B-1 District such as retail businesses along the Jefferson Rd corridor. A retail use of the Property is entirely consistent with the uses permitted within the district and the existing uses in the neighborhood.

The operation of a cannabis retail dispensary at the Property aligns with the vision, goals and recommendations of the Comprehensive Plan and other applicable plans and studies conducted by or on behalf of the Town. The operations of a cannabis retail dispensary at the Property aligns with the purpose, intent and applicable design and development standards of the B-1 District. "It is the principal purpose of the B-1 and B-2 Commercial Districts to provide for businesses that meet the local day-to-day shopping and service needs of residents and visitors that draw from the neighborhood and regional populations, in a manner that is compatible with surrounding uses and supports the desired visual character of the Town." Town Code 295-13.1.

The operation of a cannabis retail dispensary at the Property will not be a nuisance in law or in fact. The Application will be applying for a license from the New York State Cannabis Control Board to operate a cannabis retail dispensary on the Property, which authorizes "the acquisition, possession, sale and delivery of cannabis from the licensed premises of the retail dispensary by such license to cannabis consumers.

The operation of a cannabis retail dispensary at the Property will not create materially adverse impacts that cannot be adequately mitigated, such as to adversely impact natural resources or the environment, agriculture, community services or other areas required to be addressed by the State Environmental Quality Review Act (SEQRA). Alterations to the existing building will not involve substantial changes to the existing structure or facility and is the reuse of a commercial structure permitted under the Town Zoning Code. See 6 NYCRR 617.5 ( c ) (1), (18).

The physical conditions and characteristics of the Property are suitable for the proposed use considering its size, configuration, location, access, topography, vegetation, soils, and hydrology for effective stormwater management. The Property, including the existing building and infrastructure, are constructed and suitable for the operation of a cannabis retail dispensary. The applicant proposes no structural alterations to the exterior of the building.

There are adequate existing public infrastructure, utilities, community facilities and emergency services to effectively serve the operation of a cannabis retail dispensary at the Property.

The operation of a cannabis retail dispensary at the Property will provide, maintain, or enhance, as necessary, safe and efficient vehicular traffic patterns, nonmotorized travel, and pedestrian circulation.

The Applicant has already applied for the required State or other governmental approval necessary to operate a cannabis retail dispensary at the Property.

The Property has a queuing area inside the store, which is located in the main entrance area. Additionally, there will be a seating area in the show room. This area will be utilized in the event that long lines form. If this line extends outside of the Property, customers will be directed outside near the "employee parking area" so the normal flow of vehicular traffic is not impeded. These queuing areas will be utilized when the number of customers in the show room exceed more than twenty (20) people.

## **Business Continuity Plan Continued**

### **Building Security**

TopTierCo, LLC is committed to enhancing security measures at the Property through the strategic deployment of 8 exterior cameras dedicated to monitoring the parking lot. In addition to the exterior cameras there will be 14 interior cameras. These cameras will play a pivotal role in ensuring the safety of both employees and customers, while also serving as a deterrent to unauthorized activities. The surveillance system will be meticulously positioned to cover all key areas, emphasizing the prohibition of on-site consumption. TopTierCo is in communication with UpState Alarm LLC to provide 24hr monitoring security alarm services with live and recorded storage with retention. In addition to this visual surveillance, clear and prominent signage will be displayed, explicitly advising customers that on-site consumption is strictly prohibited. This combined approach aims to foster a secure and compliant environment, reinforcing TopTierCo's dedication to the well-being of our patrons and the broader community. Additionally, TopTierCo has budgeted for physical security at the Property during hours of operation. This measure at the Property is to ensure that persons over the age of 21 are property screened as they enter the Property. See the below letter of intent from Upstate Alarm for further information.

### **Cash Deposits**

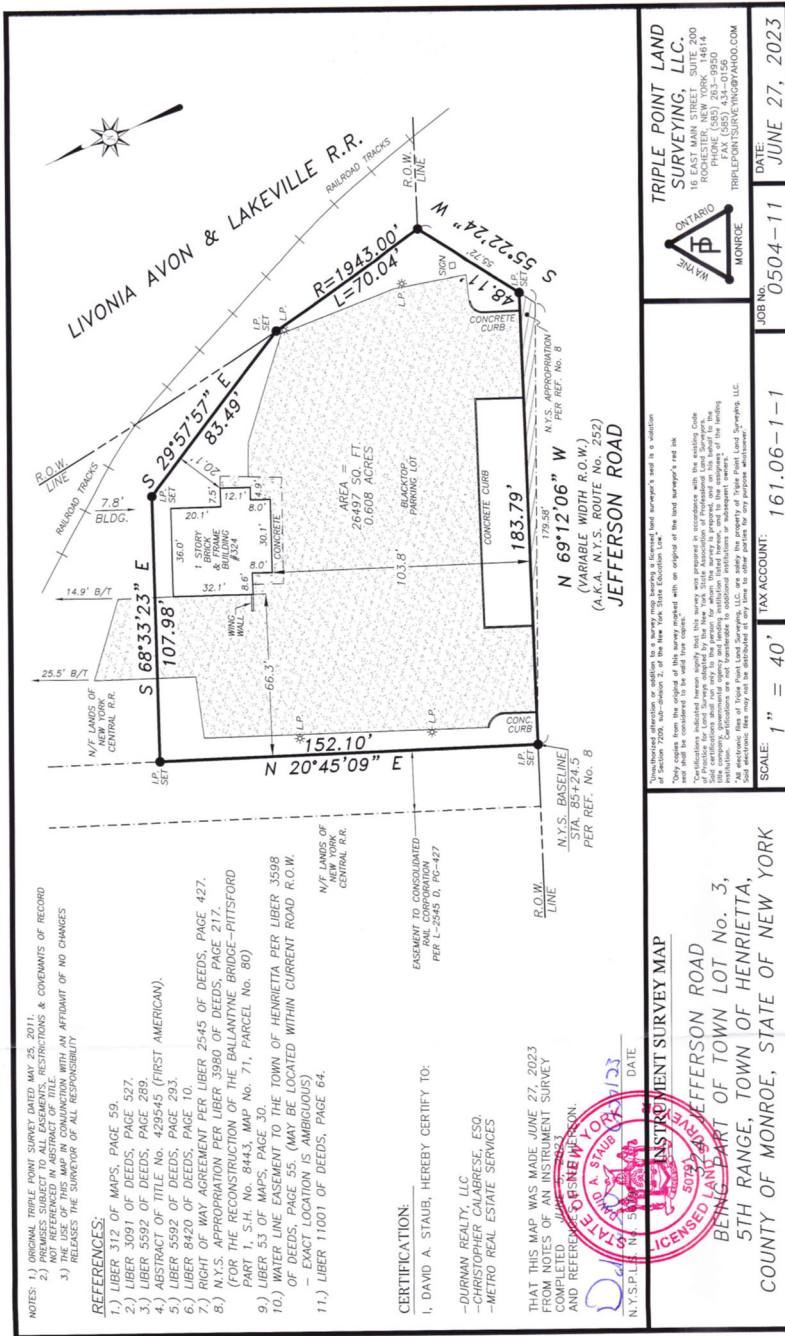
TopTierCo. Maintains a secure and efficient communication channel with the Central Bank to facilitate cash deposits. The company has established a robust system wherein scheduled cash pick-ups are coordinated with the Central Bank to ensure the safe and reliable transportation of funds. This strategic partnership not only streamlines the cash deposit process but also enhances the overall security of financial transactions. By entrusting the Central Bank with scheduled cash pick-ups, TopTierCo mitigates the risks associated with cash transportation, thereby promoting a secure and seamless financial ecosystem for its operations. This collaboration underscores TopTierCo's commitment to prudent financial management and underscores the importance of safeguarding assets through strategic partnerships with reliable financial institutions.

Should you have any questions or comments, please do not hesitate to contact me. Thank you for your time and attention to this matter, and I look forward to working with you and the Town of Henrietta.

Sincerely,  
TopTierCo LLC

**Michael Gruttadaro**

324 Jefferson Rd  
Henrietta, NY 14623



NOTES: 1.) ORIGINAL TRIPLE POINT SURVEY DATED, MAY 25, 2011.  
2.) PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.  
3.) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHANGES  
4.) RELEASES THE SURVEYOR OF ALL RESPONSIBILITY

- REFERENCES:**
- LIBER 3091 OF DEEDS, PAGE 527
  - LIBER 5592 OF DEEDS, PAGE 289
  - ABSTRACT OF TITLE No. 429545 (FIRST AMERICAN).
  - LIBER 5592 OF DEEDS, PAGE 293.
  - LIBER 8420 OF DEEDS, PAGE 10.
  - LIBER 8420 OF DEEDS, PAGE 10.
  - RIGHT OF WAY AGREEMENT PER LIBER 2545 OF DEEDS, PAGE 427.
  - RIGHT OF WAY AGREEMENT PER LIBER 3990 OF DEEDS, PAGE 217.
  - N.Y.S. APPROPRIATION OF THE BALLANTYNE BRIDGE-PITTSFORD PART 1, S.H. No. 8443, MAP No. 71, PARCEL No. 80) (FOR THE RECONSTRUCTION OF THE BALLANTYNE BRIDGE-PITTSFORD PART 1, S.H. No. 8443, MAP No. 71, PARCEL No. 80)
  - LIBER 53 OF MAPS, PAGE 30.
  - WATER LINE EASEMENT TO THE TOWN OF HENRIETTA PER LIBER 5508 OF DEEDS, PAGE 55. (MARGUERITE'S WATER LINE EASEMENT)
  - LIBER 11001 OF DEEDS, PAGE 64.

**CERTIFICATION:**  
I, DAVID A. STAUB, HEREBY CERTIFY TO:  
-DJURMAN REALTY, LLC  
-CHRISTOPHER CALABRESE, ESQ.  
-METRO REAL ESTATE SERVICES

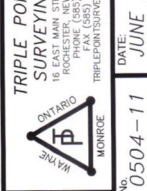
THAT THIS MAP WAS MADE JUNE 27, 2023  
AND THAT THIS MAP IS A TRUE AND ACCURATE  
REPRESENTATION OF THE SURVEYED  
AND REFERENCED INFORMATION.

N.Y.S.P.L.S. No. 50100133  
DATE  
JUNE 27, 2023

**INSTRUMENT SURVEY MAP**  
JEFFERSON ROAD  
BEING A PART OF TOWN LOT No. 3,  
5TH RANGE, TOWN OF HENRIETTA,  
COUNTY OF MONROE, STATE OF NEW YORK

SCALE: 1" = 40'  
TAX ACCOUNT: 161.06-1-1  
JOB No. 0504-11  
DATE: JUNE 27, 2023

**TRIPLE POINT LAND SURVEYING, LLC.**  
16 EAST MAIN STREET, SUITE 1100  
HENRIETTA, NY 14623  
PHONE (585) 283-9900  
FAX (585) 283-9904  
TRIPLEPOINTSURVEY@AOL.COM





- NOTES: 1.) ORIGINAL TRIPLE POINT SURVEY DATED MAY 25, 2011.  
 2.) PREMISES SUBJECTED TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD NOT REFERENCED IN ABSTRACT OF TITLE.  
 3.) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHANGES RELEASES THE SURVEYOR OF ALL RESPONSIBILITY

**REFERENCES:**

- 1.) LIBER 312 OF MAPS, PAGE 59.
- 2.) LIBER 3091 OF DEEDS, PAGE 527.
- 3.) LIBER 5592 OF DEEDS, PAGE 289.
- 4.) ABSTRACT OF TITLE No. 429545 (FIRST AMERICAN).
- 5.) LIBER 5592 OF DEEDS, PAGE 293.
- 6.) LIBER 8420 OF DEEDS, PAGE 10.
- 7.) RIGHT OF WAY AGREEMENT PER LIBER 2545 OF DEEDS, PAGE 427.
- 8.) N.Y.S. APPROPRIATION PER LIBER 3980 OF DEEDS, PAGE 217.  
 (FOR THE RECONSTRUCTION OF THE BALLANTYNE BRIDGE-PITTSFORD PART 1, S.H. No. 8443, MAP No. 71, PARCEL No. 80)
- 9.) LIBER 53 OF MAPS, PAGE 30.
- 10.) WATER LINE EASEMENT TO THE TOWN OF HENRIETTA PER LIBER 3598 OF DEEDS, PAGE 55. (MAY BE LOCATED WITHIN CURRENT ROAD R.O.W. - EXACT LOCATION IS AMBIGUOUS)
- 11.) LIBER 11001 OF DEEDS, PAGE 64.

**CERTIFICATION:**

I, DAVID A. STAUB, HEREBY CERTIFY TO:

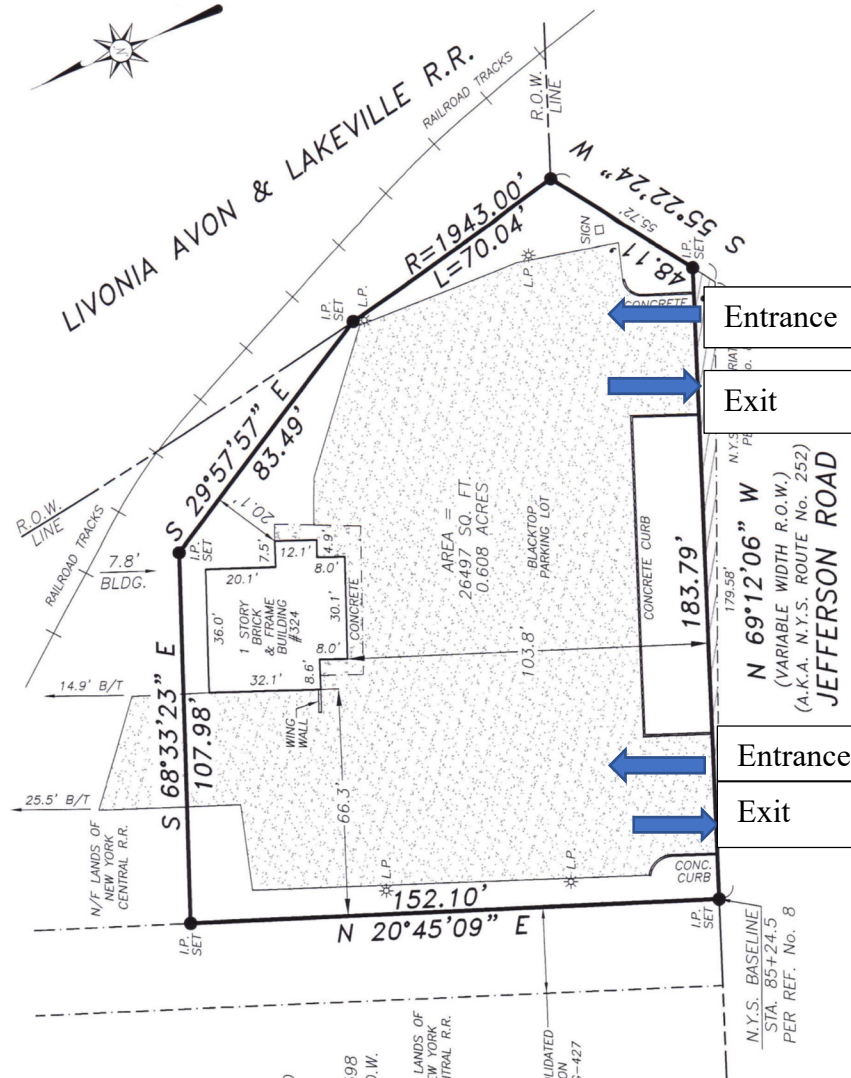
- DURNAN REALTY, LLC
- CHRISTOPHER CALABRESE, ESQ.
- METRO REAL ESTATE SERVICES

THAT THIS MAP WAS MADE JUNE 27, 2023  
 FROM NOTES OF AN INSTRUMENT SURVEY  
 COMPLETED JUNE 27, 2023  
 AND REFERENCED TO FILE NO. 509188333

DATE: 06/27/2023  
 N.Y.S.P.L.S. No. 509188333

**INSTRUMENT SURVEY MAP**

JEFFERSON ROAD  
 BEING PART OF TOWN LOT No. 3,  
 5TH RANGE, TOWN OF HENRIETTA,  
 COUNTY OF MONROE, STATE OF NEW YORK



**TRIPLE POINT LAND SURVEYING, LLC.**  
 16 EAST MAIN STREET SUITE 200  
 ROCHESTER, NEW YORK 14614  
 PHONE (585) 263-9950  
 FAX (585) 434-0156  
 TRIPLEPOINTSURVING@YAHOO.COM

ONTARIO  
 WAYNE  
 MONROE

DATE: JUNE 27, 2023  
 JOB No. 0504-11

Scale: 1" = 40'  
 TAX ACCOUNT: 161.06-1-1  
 JOB No. 0504-11

THIS MAP IS A REPRODUCTION OF THE ORIGINAL INSTRUMENT SURVEY MAP AND IS VALIDATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.  
 This map is a reproduction of the original of this survey marked with an original of the land surveyor's red ink and shall be considered to be valid four copies.  
 Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveying adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom this map was prepared and shall not be binding on any other institution. Certifications are not transferable to additional institutions or subsequent owners.  
 \*All electronic files of Triple Point Land Surveying, LLC. are solely the property of Triple Point Land Surveying, LLC. Said electronic files may not be distributed at any time to other parties for any purpose whatsoever.



NOTES: 1.) ORIGINAL TRIPLE POINT SURVEY DATED MAY 25, 2011.  
 2.) PREMISES SUBJECTED TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD NOT REFERENCED IN ABSTRACT OF TITLE.  
 3.) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHANGES RELEASES THE SURVEYOR OF ALL RESPONSIBILITY

**REFERENCES:**

- 1.) LIBER 312 OF MAPS, PAGE 59.
- 2.) LIBER 3091 OF DEEDS, PAGE 527.
- 3.) LIBER 5592 OF DEEDS, PAGE 289.
- 4.) ABSTRACT OF TITLE No. 429545 (FIRST AMERICAN).
- 5.) LIBER 5592 OF DEEDS, PAGE 293.
- 6.) LIBER 8420 OF DEEDS, PAGE 10.
- 7.) RIGHT OF WAY AGREEMENT PER LIBER 2545 OF DEEDS, PAGE 427.
- 8.) N.Y.S. APPROPRIATION PER LIBER 3980 OF DEEDS, PAGE 217.  
 (FOR THE RECONSTRUCTION OF THE BALLANTYNE BRIDGE-PITTSFORD PART 1, S.H. No. 8443, MAP No. 71, PARCEL No. 80)
- 9.) LIBER 53 OF MAPS, PAGE 30.
- 10.) WATER LINE EASEMENT TO THE TOWN OF HENRIETTA PER LIBER 3598 OF DEEDS, PAGE 55. (MAY BE LOCATED WITHIN CURRENT ROAD R.O.W. - EXACT LOCATION IS AMBIGUOUS)
- 11.) LIBER 11001 OF DEEDS, PAGE 64.

**CERTIFICATION:**

I, DAVID A. STAUB, HEREBY CERTIFY TO:

- DURNAN REALTY, LLC
- CHRISTOPHER CALABRESE, ESQ.
- METRO REAL ESTATE SERVICES

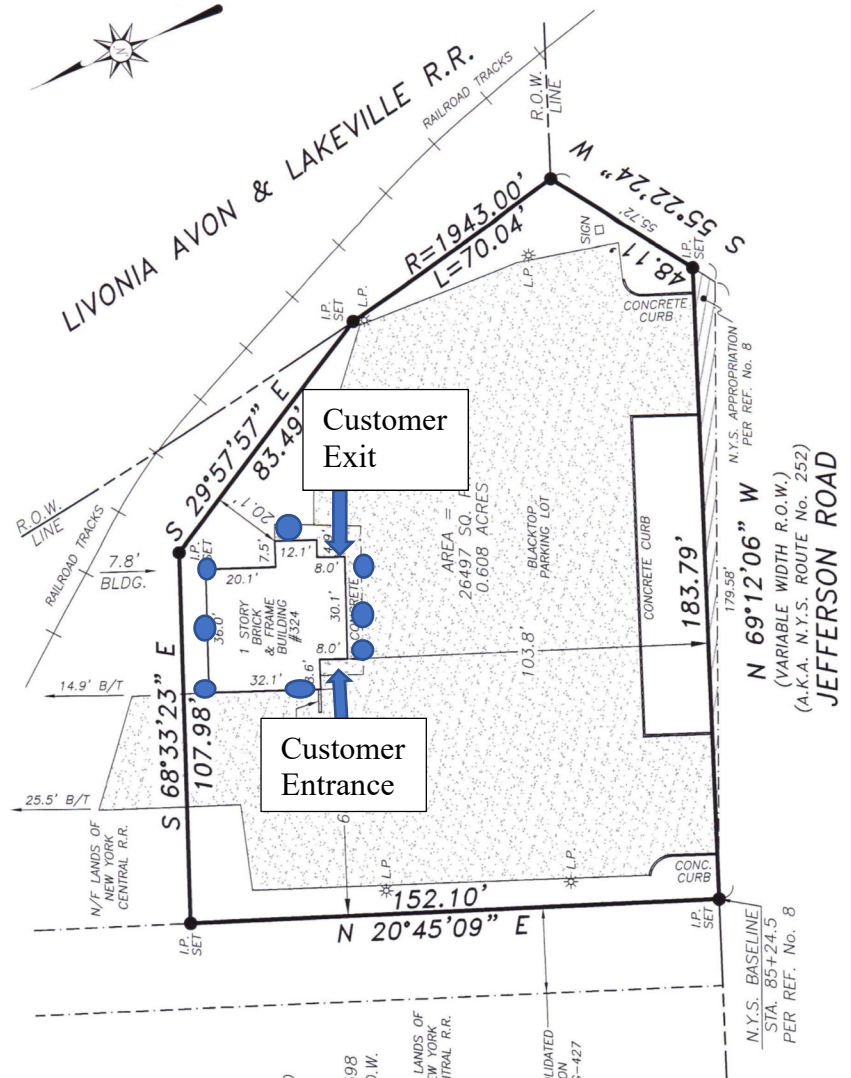
THAT THIS MAP WAS MADE JUNE 27, 2023  
 FROM NOTES OF AN INSTRUMENT SURVEY  
 COMPLETED JUNE 27, 2023  
 AND REFERENCED TO THE INSTRUMENT SURVEY MAP

DATE: 6/27/23  
 N.Y.S.P.L.S. No. 50793

DATE: 6/27/23

INSTRUMENT SURVEY MAP

JEFFERSON ROAD  
 BEING PART OF TOWN LOT No. 3,  
 5TH RANGE, TOWN OF HENRIETTA,  
 COUNTY OF MONROE, STATE OF NEW YORK



TRIPLE POINT LAND SURVEYING, LLC.  
 16 EAST MAIN STREET SUITE 200  
 ROCHESTER, NEW YORK 14614  
 PHONE (585) 263-9950  
 FAX (585) 434-0156  
 TRIPLEPOINTSURVEYING@YAHOO.COM



DATE: JUNE 27, 2023

JOB NO. 0504-11

TAX ACCOUNT: 161.06-1-1

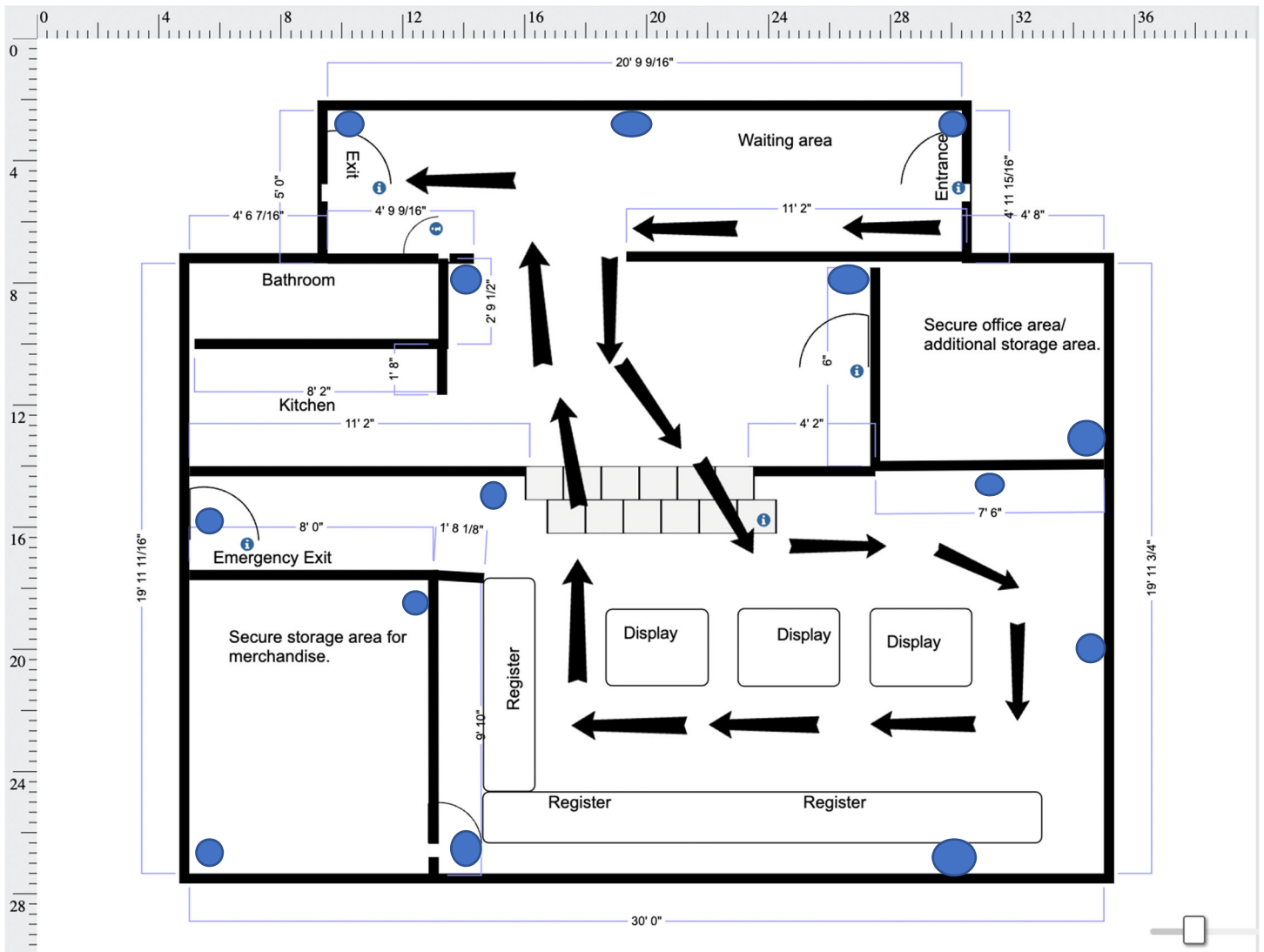
SCALE: 1" = 40'

Indicates Exterior Cameras

● = Interior Cameras (14)

TopTierCo proposes that 14 interior cameras be installed inside the property. The number of cameras will increase if all areas inside the property are not covered by CCTV or if the State, OCM or the Town on Henrietta requests the same. Again, these cameras will be monitored by ADT for 24hr coverage, which will also include an alarm system and glass break detector.

The arrows indicate the customers flow from the entrance of the property to the exit.



Below is the parking layout for 324 Jefferson Rd. Our proposal would be to eliminate the handicap parking near the entrance and Property, indicated by the red "X". Parking space labeled "HC1" would be a van accessible handicap parking space. Parking space labeled HC2 and HC3 would also be designated handicap parking spaces. This would bring the total number of parking spots to 39. Each spot will be clearly identified with the universal accessibility sign.

## Parking

39 Parking Spaces

### Hours of Operation

Monday: Saturday 10:00 AM – 8:00 PM  
 Sunday: 12:00 PM – 6:00PM





2100 Brighton Henrietta  
Town Line Rd. Suite 100  
Rochester, NY 14623  
585-484-SAFE (7233)  
www.upstatealarm.com

11/27/2023

To Whom It May Concern:

My name is Phil Sidore with Upstate Alarm LLC. We are an electronic security company, based in the Rochester, New York area. We offer intrusion alarm, fire alarm, video surveillance and access control solutions to businesses in the Western New York market. Our team has experience in providing solutions to the Cannabis industry. In addition, our product manufacturers have dedicated representatives to assist with projects in the Cannabis space.

The purpose of this letter is to outline our plans to provide security services to TopTeirCo LLC, located at 324 Jefferson Rd. We plan to install an intrusion alarm system with protection on all exterior doors, glass break sensors and motion sensors to cover the interior, and panic alarms where needed. The alarm system will be monitored 24/7 and we will notify the authorities in the event of an alarm. We also plan to install a video surveillance system with ample coverage of the space, both inside and outside. The video surveillance system will retain a minimum of 90 days of local storage.

If you have any questions regarding our plans or would like to discuss this further, please feel free to contact me at 585-484-7233 ext 101. Thank you!

**Sincerely,**

**Phil Sidore**  
*Upstate Alarm LLC*

- NOTES: 1.) ORIGINAL TRIPLE POINT SURVEY DATED MAY 25, 2011.  
 2.) PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD NOT REFERENCED IN ABSTRACT OF TITLE.  
 3.) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHANGES RELEASES THE SURVEYOR OF ALL RESPONSIBILITY.

**REFERENCES:**

- 1.) LIBER 312 OF MAPS, PAGE 59.
- 2.) LIBER 3091 OF DEEDS, PAGE 527.
- 3.) LIBER 5592 OF DEEDS, PAGE 289.
- 4.) ABSTRACT OF TITLE No. 429545 (FIRST AMERICAN).
- 5.) LIBER 5592 OF DEEDS, PAGE 293.
- 6.) LIBER 8420 OF DEEDS, PAGE 10.
- 7.) RIGHT OF WAY AGREEMENT PER LIBER 2545 OF DEEDS, PAGE 427.
- 8.) N.Y.S. APPROPRIATION PER LIBER 3980 OF DEEDS, PAGE 217.  
 (FOR THE RECONSTRUCTION OF THE BALLANTYNE BRIDGE-PITTSFORD PART 1, S.H. No. 8443, MAP No. 71, PARCEL No. 80)
- 9.) LIBER 53 OF MAPS, PAGE 30.
- 10.) WATER LINE EASEMENT TO THE TOWN OF HENRIETTA PER LIBER 3598 OF DEEDS, PAGE 55. (MAY BE LOCATED WITHIN CURRENT ROAD R.O.W. - EXACT LOCATION IS AMBIGUOUS)
- 11.) LIBER 11001 OF DEEDS, PAGE 64.

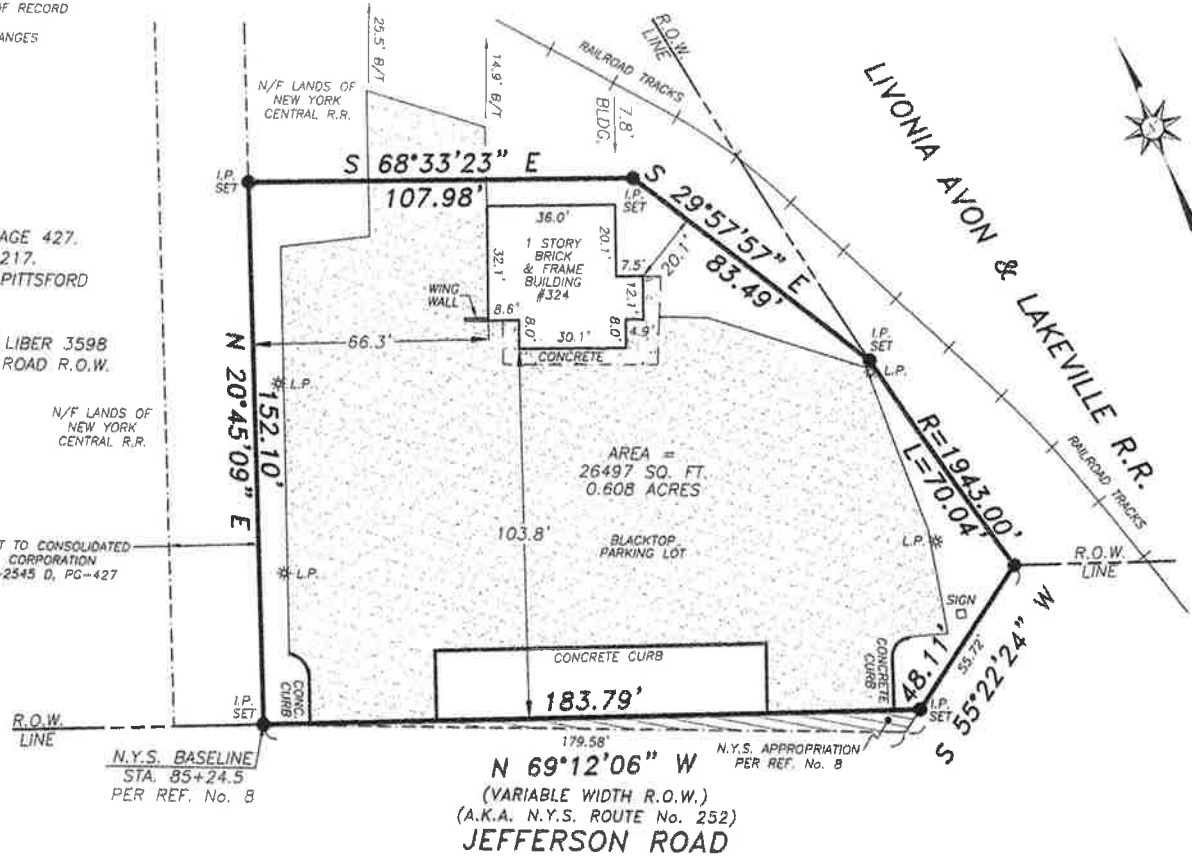
**CERTIFICATION:**

I, DAVID A. STAUB, HEREBY CERTIFY TO:

- DURNAN REALTY, LLC
- CHRISTOPHER CALABRESE, ESQ.
- METRO REAL ESTATE SERVICES

THAT THIS MAP WAS MADE JUNE 27, 2023  
 FROM NOTES OF AN INSTRUMENT SURVEY  
 COMPLETED JUNE 5, 2023  
 AND REFERENCES LISTED HEREON.

N.Y.S.P.L.S. No. 50791 DATE



**INSTRUMENT SURVEY MAP**

324 JEFFERSON ROAD  
 BEING PART OF TOWN LOT No. 3,  
 5TH RANGE, TOWN OF HENRIETTA,  
 COUNTY OF MONROE, STATE OF NEW YORK

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, sub-division 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's red ink seal shall be considered to be valid true copies."

"Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed herein, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

"An electronic file of Triple Point Land Surveying, LLC are solely the property of Triple Point Land Surveying, LLC. Said electronic files may not be distributed at any time to other parties for any purpose whatsoever."



**TRIPLE POINT LAND SURVEYING, LLC.**

16 EAST MAIN STREET, SUITE 200  
 ROCHESTER, NEW YORK 14614  
 PHONE (585) 263-9950  
 FAX (585) 434-0156  
 TRIPLEPOINTSURVEYING@YAHOO.COM

SCALE: 1" = 40'

TAX ACCOUNT: 161.06-1-1

JOB No. 0504-11

DATE: JUNE 27, 2023