

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

- 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. 844.3, 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

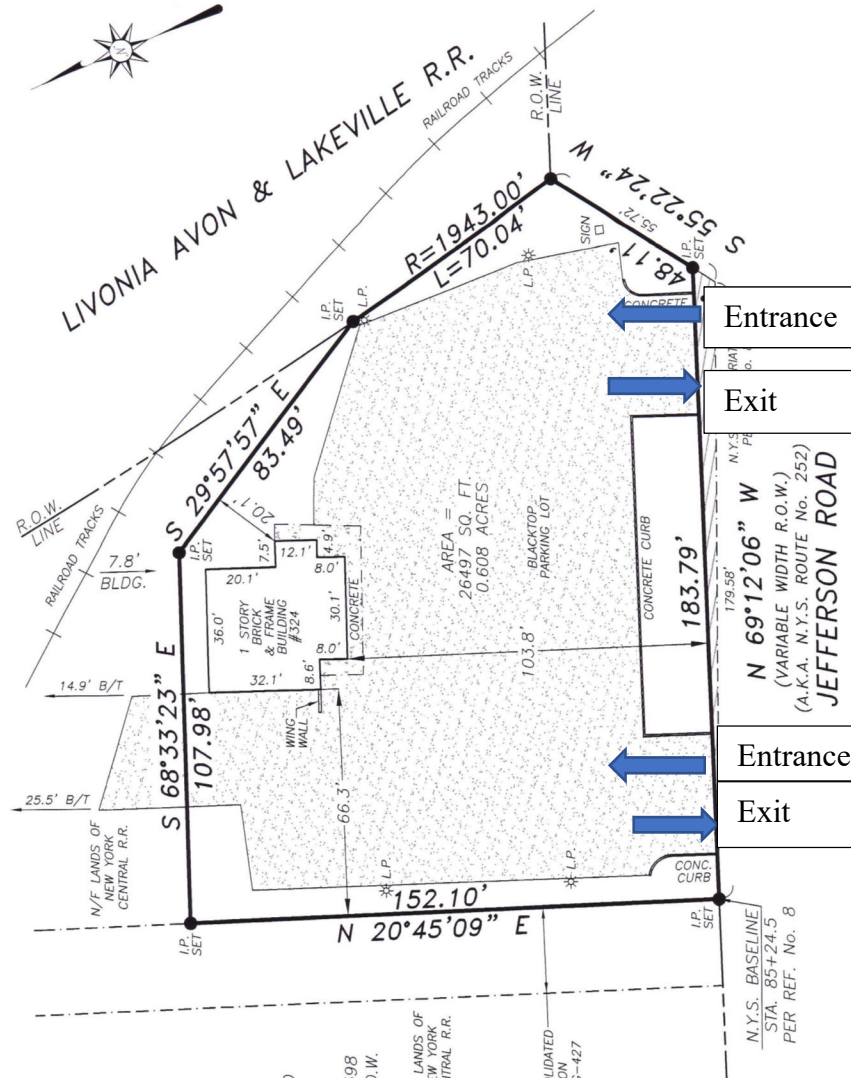
THAT THIS MAP WAS MADE JUNE 27, 2023
 FROM NOTES OF AN INSTRUMENT SURVEY
 COMPLETED JUNE 27, 2023
 AND REFERENCED TO THE INSTRUMENT SURVEY MAP

DATE: 06/27/2023
 N.Y.S.P.L.S. No. 50792

DATE: 06/27/2023

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'

ENTRANCE
 EXIT
 ENTRANCE
 EXIT

AREA = 26497 SQ. FT. 0.608 ACRES
 CONCRETE CURB
 BLACKTOP PARKING LOT
 1-STORY BRICK BLDG. & WING WALL #324
 N.Y.S. PLAT No. 50792

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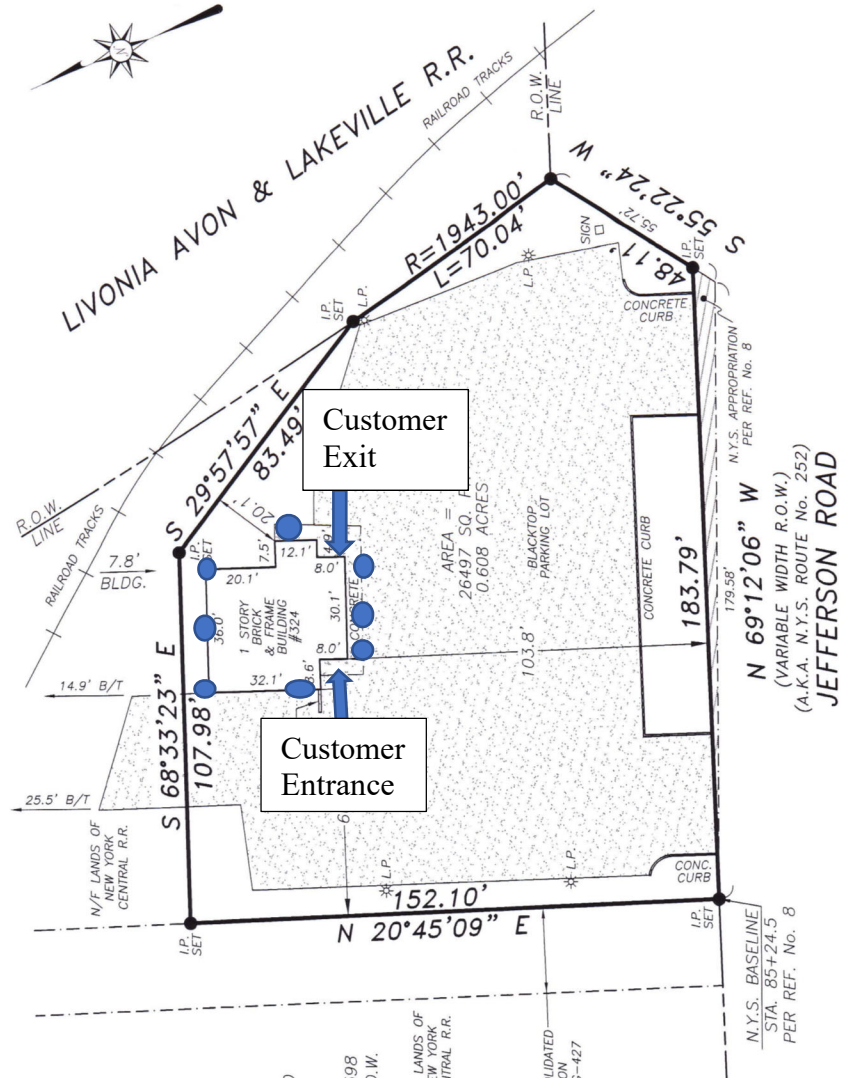
- DURNAN REALTY, LLC
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- METRO REAL ESTATE SERVICES

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 AND REFERENCED TO THE INSTRUMENT SURVEY

DATE: 06/27/23
 N.Y.S.P.L.S. No. 50793

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

ONTARIO
 WAYNE
 MONROE

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

SCALE: 1" = 40'
 TAX ACCOUNT: 161.06-1-1
 N.Y.S. APPROPRIATION PER REF. No. 8
 N.Y.S. BASELINE STA. 85+24.5 PER REF. No. 8
 N.Y.S. APPROPRIATION PER REF. No. 8
 AREA = 26,497 SQ. FT. 0.608 ACRES
 BLACKTOP PARKING LOT
 CONCRETE CURB
 183.79'
 179.58'
 N 69°12'06" W (VARIABLE WIDTH R.O.W.) JEFFERSON ROAD
 (A.K.A. N.Y.S. ROUTE No. 252)

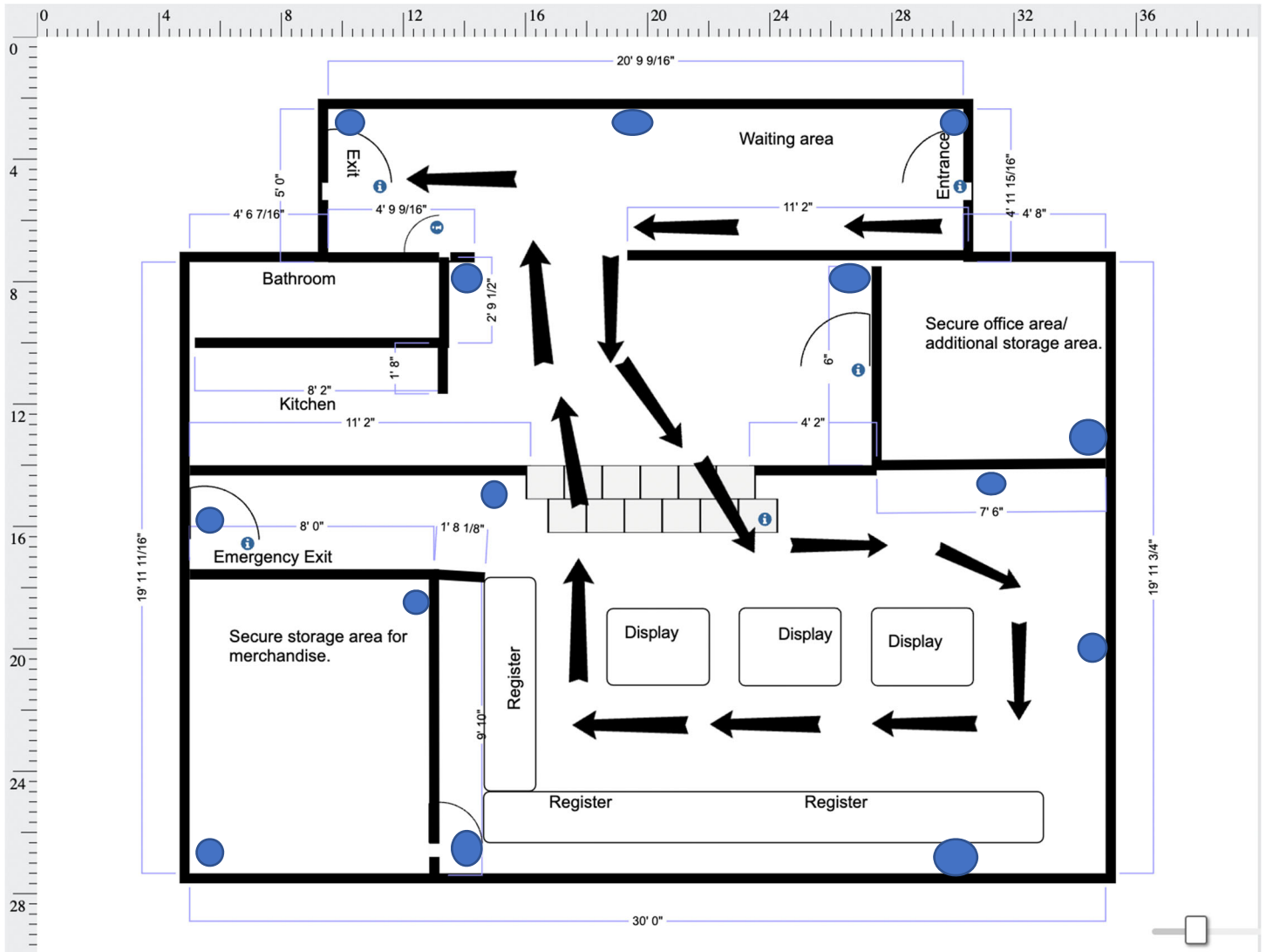
Professional seal for David A. Staub, N.Y.S. License No. 50793, State of New York. The seal is circular and contains the text 'DAVID A. STAUB', '50793', 'LICENSED LAND SURVEYOR', and 'STATE OF NEW YORK'. The seal is stamped over the signature and date.

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