



TOWN OF HENRIETTA
County of Monroe
State of New York

475 Calkins Road, Rochester, NY 14623
(585) 334-7700 • www.henrietta.org

TOWN OF HENRIETTA
APPLICATION TO TOWN BOARD
- SPECIAL USE PERMIT -

Appeal No. SP2023-048
Date 11/29/23

Applicant: Consulate Cannabis LLC

796 Lexington Ave New York New York 10065

Business Owner: Nicola Doyle

796 Lexington Ave New York New York 10065

Business Name: Capital Cannabis

Business Address: 3333 West Henrietta rd Rochester NY 14623
unit 44

Property Owner: Southtown Plaza Realty LLC and Southtown Invest LLC
150 Great Neck Rd Suite 304 Great Neck, NY 11021

Architect/Engineer: _____

Hereby request from the Town Board for a Special Use Permit for the property located at:

3333 W Henrietta rd Unit 44 Rochester NY 14623

161-07-1-9 Commercial B-1 Mixed Use Redevelopment Area

If property is under a purchase option, indicate date option expires: _____

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: VI Section: 295 Subsection: 14 Paragraph: B(13) of the Zoning Ordinance.

Description of Proposal: The applicant is applying for a special use permit to operate a Cannabis retail dispensary on the property. Proposed hours M-F 9-8 Sat 9-8 + Sunday

Note: Proposed hours may be expanded in the future provided said hours conform to applicable town + county regulations

Multiple Dwelling Applications - Dwelling Units per Acre: N/A

Does this exceed allowed amount per Henrietta Code §295-13[E](1)(b) Yes No

Printed Name: Nicola Doyle Signature:

T. Wenzel 11/21/24 6:00 pm

**Statement of Applicant and Owner with Respect to Reimbursement
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant: Consulate Cannabis LLC

By: Nicola Doyle

Title: Owner

Dated: 11-21-23

Signed: 

Owner: South Town Plaza Realty LLC

By: Igal Namdar

Title: Member

Dated: 11/28/23

Signed: 



LEAF LEGAL, P.C.
— Attorneys at Law —

Stephanie R. Schuman, Esq.
Principal Attorney

24 East 21st Street, 4th Floor
New York, NY 10010

T: (212) 933-2420

C: [REDACTED]

info@leaflegalpc.com

November 28, 2023

Re: *Special Use Permit for Consulate Cannabis LLC*

Dear Town Board,

We represent Ms. Nicola Doyle and Consulate Cannabis LLC (the “Applicant”) in its application for a special use permit to operate a retail cannabis dispensary on a parcel located at 3333 West Henrietta Road (the “Property”). The Applicant has applied for a license with the New York State Office of Cannabis Management, and, subject to receipt of that license, hopes to begin operation on the Property. We submit this letter of intent in support of the Applicant’s application and to request the Board’s attention during its upcoming Board meeting.

The Property is zoned B-1 Commercial and is situated in a Mixed-Use Redevelopment Area. Its parcel ID is 161.07-1-9 on the Henrietta tax map.

In accordance with 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 the Property is substantially consistent in its scale and character with those uses permitted and the existing built permitted uses in the B-1 District and 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 Town’s 2019 Comprehensive Land Use Plan Update provides four additional goals and objectives for land use planning initiatives in the Town. Goal

1 specifically states that the Town’s goal is to “create opportunities for redevelopment and reuse of underutilized and vacant properties.” The operation of a cannabis retail dispensary at the Property will make use of the existing building and infrastructure and thus further the land use planning goals of the Town.

The operation 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 business that meet the local day-to-day shopping and service needs of the residents and visitors that draw from 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 Applicant 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 licensee to cannabis consumers.” MRTA §72(1). No nuisances, in law or in fact, such as noise, dust, smoke, refuse, poisonous substances, odors, fumes, noise, radiation, vibration, unsightliness, or similar conditions, will be created by operating a cannabis retail dispensary on the Property.

The operation of a cannabis retail dispensary at the Property will not create materials hazards or dangers to the public or to persons in the vicinity from fire, explosion, electricity, radiation, traffic congestion, crowds, parking of vehicles, or other causes. While operating a retail dispensary, the Applicant will not be utilizing any hazardous or dangerous chemicals or conducting any such activities. The on-site parking and vehicular traffic patterns are adequate to serve the proposed use and are in the public interest.

The operation of a retail cannabis 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 site 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 adequately 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.

Lastly, the Applicant has applied for and expects to obtain the required State or other governmental approval necessary to operate a cannabis retail dispensary at the Property.

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

With our utmost gratitude for your consideration of Consulate Cannabis LLC and Ms. Doyle, we remain,

Yours sincerely,

Stephanie R. Schuman
Leaf legal, P.C.
Attorneys for Consulate Cannabis, LLC

Letter of intent

Products for sale

Products sold will be limited to prepackaged cannabis products and cannabis paraphernalia provided by state approved licensed local distributors. Sample packaged products will be on displayed on the sales floor secure in closed glass display cases for customer viewing and educational purposes. Viewing and sale of cannabis products will be limited to the secured sales area. All other cannabis products will be kept in secure storage safes. No Products will be viewable from outside the store.

Sales per person will not exceed 3 oz cannabis (flower) and 24g concentrated cannabis including edibles and concentrates.

Pricing

All products for sale inside the dispensary will include a clear sign with product description and price. Price will include item price including tax.

POS System

Consulate Cannabis maintains a current account with Dutchie, Dutchie POS is a robust, compliant, and fully-customizable point of sale system for cannabis retail. With built-in traceability, advanced reporting, integrated payment processing. This allows for seamless weekly inventory reports to OCM.

Staffing Key Roles

General manager is responsible for managing the core day-to-day running of the dispensary. This is the person responsible for submitting required reports and notifications to the Office. The manager must maintain the dispensary's staffing plan and update the plan within five business days of any change in an individual's employment status. The staffing plan will, include the name, contact information, and age of all workers involved in activities related to the sale of cannabis products.

Sales Manager will be responsible for overseeing Cashiers and packaging employees. This role involves making sure each member of staff is trained and knowledgeable in the day to day operating procedures set in place and available to answer questions that may arise helping in the day to day running of operations.

Security personnel will be employed full time during opening hours. Key responsibilities will include, staff and customer safety, exterior surveillance. Monitoring customer entering and exiting the building. Customer count.

Cashiers responsibilities include answering product related questions, customer education and engagement. Inputting orders into the system, collecting payment and checking each order before it leaves the store.

Packaging employees will work in the secure packaging room and will be responsible for handling cannabis related products, receiving orders through the POS system. The orders will be selected, checked, packaged and handed to cashier for final check.

Training, Health, and Safety

Each staff member will complete training and education within the first 30 days of hiring, which will be provided during paid working hours. Workers will be compensated for their time. This training will aim to ensure all employees

posses an adequate level of education and training required to do their job. Training manuals will be provided for each member of staff as a reference.

Our training manual will include workers guidelines, security, operating, and safety procedures put forth by OCM including, but not limited to:

The daily opening and closing procedures.

Security, customer admittance, and customer traffic-control procedures.

Ordering and point of sale procedures.

Product inventory intake procedures.

Product return and disposal procedures.

Emergency procedures.

Explanation of how workers will monitor for and prevent sales to customers where there is a risk to health or safety, underage or illegal sales of cannabis products, or any other criminal activity within the licensed premise.

Information about all types of cannabis products the dispensary sells.

Onset and duration of effects, if applicable; Method of administration.

Warnings for use

Tips for secure storage and proper disposal.

Customer privacy and confidentiality requirements.

Alcohol-free, drug-free, and smoke-free workplace policies.

History of cannabis use, prohibition, legalization.

Ensuring safe use of cannabis, including, but not limited to;

Cannabis physical effects on the human body.

Advice for recognizing signs of impairment.

Appropriate responses in the event of overconsumption.

Safe storage of cannabis products.

Explanation of required text on cannabis product labeling.

Risks of cannabis use and over-use, including cannabis use disorder.

Dependency Risks

Risks of operating any vehicle (including watercraft) under the influence; o Explanation of consumer education materials.

Overview of marketing and advertising prohibitions.

Prevention of sales to individuals under twenty-one, including, but not limited to: o How to check customer photo identification.

Spotting fraudulent identification.

Provisions for safely confiscating fraudulent identification.

Security and surveillance of licensed premises.

Emergency procedures.

Compliance with, and operation of, inventory tracking systems.

Relevant state and federal laws or regulations.

Permitted investigations or inspections of the premises.

License suspension, revocation and renewal.

Civil and criminal penalties.

Cannabis product waste disposal.

Practices for maintaining customer privacy and confidentiality.

Licensees must ensure that all workers have access to hand washing and toilet facilities on the licensed premises and must maintain such facilities in clean and sanitary condition, maintaining records of regular cleaning and sanitizing of such facilities. All personnel shall handle cannabis products in a sanitary manner, maintain adequate personal cleanliness, and wash and sanitize hands thoroughly in an adequate hand- washing area before starting work, after each visit to a restroom, after handling contaminated material, eating, or at any other time when hands may have become soiled or contaminated.

Customer Education

Our staff will be trained and available to answer most general product information. In addition we will provide iPads for customer interaction, these iPads will include a library of all cannabis related products sold in the store along with detailed information for each product including product strength, effect, dosage, method of administration and warning labels. Each sample on display will also include general product information. We will also schedule free in store educational events where customers can learn about products directly from licensed growers and distributors.

Secure Storage

Main storage vaults will be constructed with at least eight inches of concrete (or similar material) that has been reinforced with half-inch steel rods (or similar). Smaller storage locations will be made to allow for metal stud framing and barrier mesh, upon approval.

Disposal

Disposal of any cannabis product that are beyond the date of expiration, damaged, deteriorated, contaminated, or otherwise deemed not appropriate for sale. Will be stored in secure area in tamper proof drums set up in the safe room. All disposal of cannabis products will be conducted in compliance with all applicable state and local laws, rules, regulations, and guidance.

Security Plan

Security and safety is our top priority to ensure complete compliance, customer safety, product management and control we will work closely with ISG- Integrated Security Systems. ISG's has nearly a decade of experience

helping cannabis business with standards exceeding regulatory and commission requirements. Together we will create a security plan that exceeds state requirements.

This plan will include

High quality video camera system that covers all points of entry and exit, point of sale areas, safes and vaults, any areas where cannabis products maybe stores or displayed, and the entire parking lot.

This network of security cameras will have the capability to capture activity anywhere on the property. Also allows for analytics to identify people and vehicles and facial recognition technology. Which offers identification of anyone who enters, exits and or makes a purchase. Cameras will record continuously during hours of operation, and any time cannabis products are being handled. Outside of these times cameras will be motion activated.

Our security cameras will produce high quality, full color footage both live and recorded with time and date stamps. System will include a failure notification system that will include audio and texts. Will full battery backup incase of power outage. Footage will be backed up and preserved for a minimum of 90 days which is required by the state.

As part of our security plan ISG will install and maintain perimeter alarm that communicates with an internal designee and a third-party commercial central monitoring station when intrusion is detected. Exterior lighting will be added where necessary this will cover the building and parking lot ensuring maximum security visibility and safety.

A dedicated onsite locked surveillance room will be in operation with access limited to key members and security personnel. An active list will be kept and maintained of individuals who have access to surveillance room and security equipment.

Cashier stations will be equipped with discreet panic buttons used to alert security staff of potential issues.

During hours of operation full time onsite security personnel will be monitoring daily activities. This role will include providing staff and customer with onsite security protection, monitoring the parking lot and persons entering and exiting the building. Along with reviewing security footage.

ISG has chosen only commercial burglar alarm systems that meet or exceed all of the strictest standards or requirements established by Underwriters Laboratory (UL) and the National Institute of Standards and Technology (NIST) of the U.S.

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

Build out security measures

Our build will be performed by a licensed contractor which will include advanced security measures to reinforce windows and doors Including but not limited to

Doors with pin-less hinges. Door assemblies will be maximum duty ANSI/SDI A250.8 LEVEL4 rated assemblies with handicapped accessible. Grade 1 lock set.

Exterior window system shall meet all requirements of current NYS energy conservation construction codes and include laminated glazing treatment with security film.

Walls and ceilings if needed will be framed with heavy mental studs and joists with 9 gage expanded metal mesh installed on the non secure side of framing with tamper proof fasteners. The expanded metal mesh shall be concealed by wall and ceiling finishes.

Exterior Signage

Outdoor signage will be permanently affixed to the building in the allocated signage space. Signs will clearly display the dispensary name in large font. The exterior of the building including the Signage will not include patterns or images alluding to cannabis paraphernalia. All signage will be in compliance with state and local guidelines which includes up to two signs, limited to 1600 square inches each.

Interior Signage

Store Interior signage will be in Compliance with the OCM requirements. Signs will post inside the store, in a manner to ensure the information is plainly visible to all customers this signs will include:

The licensee's retail dispensary license.

Hours of operation.

Notification that "Consuming cannabis is not allowed on this premises."

Notification that "Cannabis can impair concentration, coordination and judgment.

Do not operate a vehicle or machinery under the influence of cannabis.";

Notification that "Using cannabis, in any form, while you are pregnant or

chest/breastfeeding passes THC to your baby and may be harmful to your baby. There is no known safe amount of cannabis use during pregnancy or while chest/breastfeeding."; and

Notification, in bold and including capital letters as indicated, that "Adult-use cannabis products are for use only by persons 21 years and older. **KEEP OUT OF REACH OF CHILDREN AND PETS.**"

To Whom it may concern,

I Nicola Doyle (Consulate Cannabis) do here by authorize Leaf Legal to represent me in applying and obtaining all necessary licensing and permitting to operate a retail cannabis dispensary in the town of Henrietta.

Nicola Doyle

A handwritten signature in black ink, appearing to read 'Nicola Doyle', with a stylized flourish at the end.

Southtown Plaza Realty LLC


November 28, 2023

To whom it may concern,

I the landlord of 3333 W Henrietta rd, space #44, do here by authorize my tenant Consulate Cannabis as per our lease agreement to apply for and obtain all necessary licenses and permits to operate a retail cannabis dispensary.

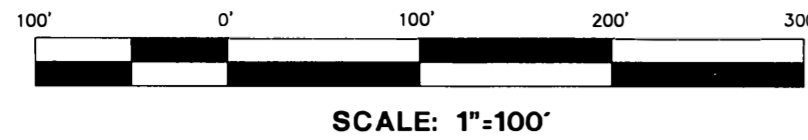
Signed

Yours truly,



Igal Namdar
Southtown Plaza Realty, LLC
150 Great Neck Road
Great Neck, NY 11024
jkashanian@namdarllc.com





NORTH

We, Parrone Engineering, hereby certify to Southtown Plaza Associates, LLC, Bear, Stearns Funding, Inc., Lawyer Title Insurance Corporation, Harter, Secrest & Emery, and Stroock & Stroock & Lavan, LLP, that this map or plat and the survey on which it is based of the following described parcel,

All that tract or parcel of land situate in part of Town Lot 3 & 4, 5th Range, Township 12, Range 7, Town of Henrietta, County of Monroe, State of New York, and is more particularly described as follows:

Parcel 1

Beginning at a point in the west right-of-way line of West Henrietta Road (US Route 15), said point being the intersection formed by the aforesaid west right-of-way line and the south property line of a parcel of land described by deed, filed in the Monroe County Clerk's Office Liber 5938, page 53, said point being further described as the southwest corner of lands appropriated by the State of New York, Map 196, Parcel 203, as recorded in the Monroe County Clerk's Office, Liber 8377 of Deeds, page 361,

Thence, 1 - S 88°-17'-55" W along the south line of lands of Southtown Plaza Associates a distance of 1886.34 feet to a point in the east line of CONRAIL (formerly Lehigh Valley Railroad),

Thence, 2 - N 36°-42'-25" W along the east line of CONRAIL a distance of 1278.18 feet to a point,

Thence, 3 - N 22°-11'-55" E a distance of 389.48 feet to a point in the south right-of-way line of Jefferson Road (NYS Route 252) as appropriated by the State of New York (Map 79R1, Parcel 88) by deed filed in the Monroe County Clerk's Office, Liber 4104 of Deeds, page 271.

Thence, 4 - S 68°-31'-45" E along the south line of Jefferson Road a distance of 948.10 feet to a point in the south right-of-way of Jefferson Road as appropriated by the State of New York (Map #14 SH 8443) by deed filed in the Monroe County Clerk's Office, Liber 1609 of Deeds, page 185,

Thence, 5 - S 67°-45'-38" E continuing along said south line as appropriated a distance of 158.20 feet to a point,

Thence, 6 - S 64°-17'-23" E continuing along said south line as appropriated a distance of 200.25 feet to a point,

Thence, 7 - S 69°-15'-11" E continuing along said south line as appropriated a distance of 165.07 feet to a point,

Thence, 8 - S 69°-05'-30" E along said south line of Jefferson Road as appropriated by the State of New York (Map #15 SH 8443) by deed filed in the Monroe County Clerk's Office, Liber 1669 of Deeds, page 301 a distance of 334.60 feet to a point,

Thence, 9 - S 67°-46'-25" E continuing along said south line of Jefferson Road as appropriated a distance of 838.00 feet to a point,

Thence, 10 - S 23°-26'-25" W continuing along said south line of Jefferson Road as appropriated a distance of 252.02 feet to a point in the west right-of-way line of West Henrietta Road (US Route 15) as appropriated by the State of New York (Map 196, Parcel 203) by deed filed in the Monroe County Clerk's Office, Liber 8377 of Deeds, page 361,

Thence, 11 - S 24°-26'-02" E along aforesaid west line of West Henrietta Road as appropriated a distance of 120.22 feet to the point and place of beginning.

Intending to describe a parcel of land which contains 44.693 acres.

Also intending to describe the following parcel of land:

Parcel 2

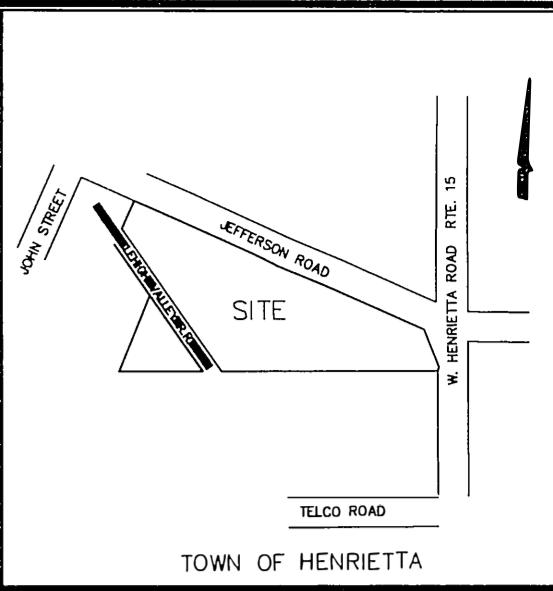
Beginning at a point in the south line of a parcel of land described by deed, filed in the Monroe County Clerk's Office Liber 5938, page 53, said point being the intersection formed by the aforesaid south line and the west line of CONRAIL (formerly Lehigh Valley Railroad), said point being further described as S 88°-17'-55" W a distance of 1966.92 feet from the west line of West Henrietta Road (US Route 15) as appropriated by the State of New York (Map 196, Parcel 203) by deed filed in the Monroe County Clerk's Office, Liber 8377 of Deeds, page 361,

Thence, 1 - S 88°-17'-55" W along said south line of lands a distance of 619.18 feet to a point,

Thence, 2 - N 20°-40'-35" E a distance of 602.12 feet to a point in the west line of CONRAIL,

Thence, 3 - S 36°-42'-25" E along the west line of CONRAIL a distance of 679.75 feet to the point and place of beginning.

Intending to describe a parcel of land which contains 3.957 acres. The combined total area of the above described parcels is 48.650 acres of land.



LOCATION MAP
(N.T.S.)

LEGEND:

- INDICATES EXISTING SIGN
- INDICATES EXISTING POWER POLE
- INDICATES EXISTING LIGHT POLE
- INDICATES EXISTING STORM SEWER, DROP INLET OR CATCH BASIN MANHOLE.
- INDICATES EXISTING SANITARY SEWER
- INDICATES EXISTING TELEPHONE
- INDICATES EXISTING GAS MAIN W/VALVE
- INDICATES EXISTING ELECTRIC W/HANDHOLE
- INDICATES EXISTING WATER MAIN W/HYDRANT & VALVE
- INDICATES EXISTING RIGHT-OF-WAY OR PROPERTY LINE
- INDICATES EXISTING CURB
- INDICATES CENTERLINE EXISTING DITCH

REFERENCES:

- 1) LIBER 3113 OF DEEDS, PG. 462
- 2) LIBER 3000 OF DEEDS, PG. 11.
- 3) LIBER 2999 OF DEEDS, PG. 75.
- 4) LIBER 2999 OF DEEDS, PG. 73.
- 5) LIBER 5938 OF MAPS, PG. 53.
- 6) N.Y.S. APPROPRIATION MAPS
MAP 79R1 PARCEL 97
79R1 88
79R1 144
121 142
196 203
203 218
- 7) ABSTRACT OF TITLE UPDATED BY MONROE TITLE INSURANCE CO. DATED MARCH 7, 1997. SEARCH # 27086-2

DENOTES EASEMENT PER LAWYERS TITLE INSURANCE CORPORATION, COMMITMENT No. BG 612-138

EASEMENT #50 DOES NOT EFFECT PROJECT SITE. EASEMENTS #51 AND #56 FALL WITHIN THE RIGHT-OF-WAY AS APPROPRIATED BY THE STATE OF N.Y.

ANY UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

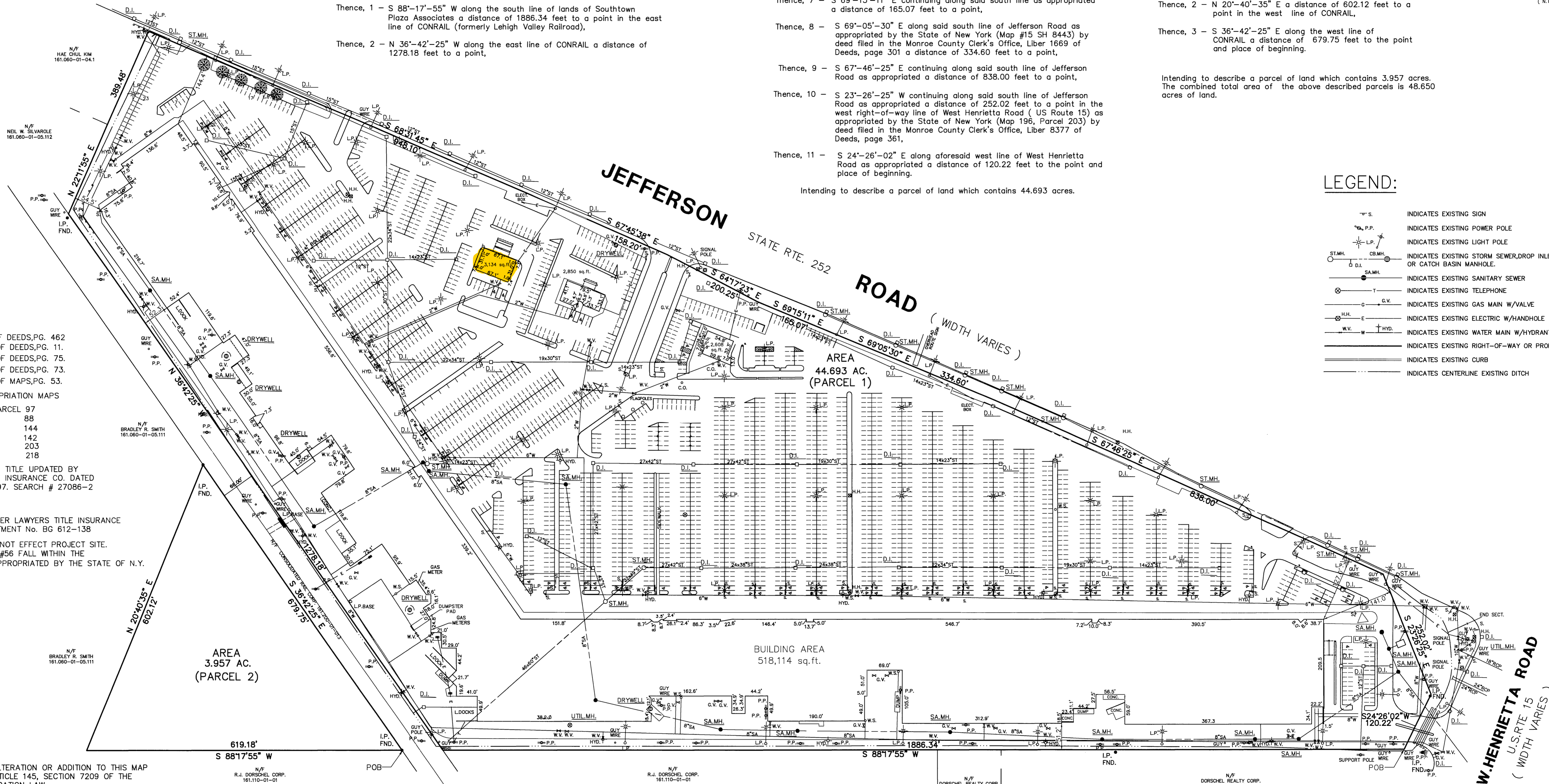
THE UNDERSIGNED, BEING A REGISTERED SURVEYOR OF THE STATE OF NEW YORK CERTIFIES TO: SOUTHTOWN PLAZA ASSOCIATES

AS FOLLOWS:

THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2,3,4,6,7a,7b,8,9,10,11a AND 13 OF TABLE "A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR LICENSED IN THE STATE OF NEW YORK, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

WE, PARRONE ENGINEERING, FURTHER CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON JULY 23, 2008.

DAVID S. STAERR, P.L.S. LIC. NO. 049962
PARRONE ENGINEERING



PARKING SPACES:

STANDARD PARKING SPACE (9'wide x 20' Length)	2144 SPACES
HANDICAP SPACES	120 SPACES
TOTAL SPACES	2264 SPACES

ZONING:

- 1) THIS PARCEL IS ZONED COMMERCIAL B-1

FLOOD CERTIFICATION:

THIS SITE IS LOCATED IN ZONE "AE" WHICH IS LOCATED WITHIN A 100-YEAR FLOODPLAIN, AS SHOWN BY FEMA, FIRM MAP COMMUNITY PANEL NUMBER 360419 0005 D, LAST REVISED FEBRUARY 5, 1992. (BASE FLOOD ELEVATIONS DETERMINED TO BE 526.0') FINISHED FLOOR OF EXISTING PLAZA WAS MEASURED TO BE 526.0'

REVISIONS:	BY:	DATE:

PARRONE
engineering

THE PIANO WORKS
349 WEST COMMERCIAL STREET
SUITE 3200
EAST ROCHESTER, NY 14445
T 585.586.0200
F 585.586.6725

ALTA/ACSM LAND TITLE SURVEY
FOR:
SOUTHTOWN PLAZA ASSOCIATES
3333 W. HENRIETTA ROAD

SITUATE IN:
TOWN OF HENRIETTA MONROE COUNTY NEW YORK

Copyright © 2008 PARRONE engineering
Designed By: B.C.K.
Drawn By: D.S.
Checked By: D.S.
DATE: JULY 12, 2008
SCALE: 1" = 100'
JOB No.: 5485



November 6th, 2023

Ashley Kern
150 Great Neck Road
Suite 402
Great Neck, NY 11021

**Re: Non-Binding Letter of Intent
Former Summit Bank at the Southtown Shopping Center**

This letter will confirm our understanding that, subject to the negotiation and execution of a definitive lease agreement (the lease) Consulate Cannabis LLC (the tenant), will lease the hereinafter-described property in accordance with the following terms:

Premises: Space #44 which was the former Summit Bank 4,309 +/- SF of space located at the Southtown Shopping Center at 3333 West Henrietta Road in Henrietta, NY

Location: South Town Plaza
Tenant: Consulate Cannabis LLC
Term: Ten (10) years
Options: Two (2) with Five (5) year options
Guarantor: 5 year personal followed by 12 month good guy
Unit: #44
Size: 4,309 SF
Use: Cannabis retailer
Contingency: Tenant shall have 4 months from lease execution to obtain license(s) and permit(s). If at the expiration of 4 months tenant has not received; both Tenant and Landlord have the right to terminate the lease. Otherwise, Tenant shall have the right to continue to pursue month to month for non-refundable monthly charges of \$12,500.

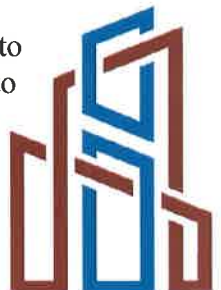
Base Rent: \$150,000/year
NNN: Tenant to self cam, pay pro rata share of RE TAX
Increases: 3% annual
Free Rent: 4 months from lease execution
LL Work: As-Is
Utilities: Paid by Tenant
Security Deposit: 1 months' rent
Pre-Paid Rent: 1st month rent
Signage: Tenant will be allowed to put appropriate signage, conforming to municipal codes, of a size and in locations mutually agreeable to

460 East Avenue, Rochester, NY 14607

716.998.2943

brian@donovanres.com

www.donovanres.com





the parties hereto on the building and on the two pylon signs.
Please see exhibit B

Brokerage: Landlord and Tenant acknowledge that Donovan Real Estate Services LLC is representing the Tenant & Landlord in this transaction and shall be paid a commission based on a separate agreement with the Landlord.

This Letter of Intent is intended only to outline the basic terms and conditions of a proposed transaction and is non-binding on either party hereto.

Both parties understand that any agreement is subject to Landlord's approval.

AGREED AND ACCEPTED BETWEEN:

X: _____ Date:
Landlord:

X: _____ Date:
Tenant: Nicola Doyle

Site Plan

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