



# Chemung County Planning Board

Chemung County Commerce  
Center 400 East Church Street  
P.O. Box 588  
Elmira, New York 14902-0588

(607) 737-5510

[www.chemungcountyny.gov](http://www.chemungcountyny.gov)

[planning@co.chemung.ny.us](mailto:planning@co.chemung.ny.us)

Referral Number

For office use only

## Chemung County Planning Board – Municipal Referral Form

(Please complete all information on both pages)

Referring Municipality:  City  Town  Village of Southport

Referring Official: Carolyn A. Renko Title: Town Clerk

Address: 1139 Pennsylvania Avenue Elmira, NY 14904

Phone Number: 607-737-5270 E-mail: crenko@townofsouthport.com

Referring Board (check appropriate box):  Legislative Board  ZBA  Planning Board

Petitioner(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Tax Map Parcel Number(s): \_\_\_\_\_

Current Zoning District: \_\_\_\_\_

### Proposed Action: (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Area Variance                           | <input type="checkbox"/> Subdivision Review    |
| <input type="checkbox"/> Use Variance                            | <input type="checkbox"/> Rezoning              |
| <input type="checkbox"/> Site Plan Review                        | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Special/Conditional Use Permit          | <input type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> Comprehensive Plan Adoption / Amendment | <input checked="" type="checkbox"/> Moratorium |
| <input type="checkbox"/> Other (please specify): _____           |  |

Description of the proposed action (attach detailed narrative if available):

**The proposed action applies to real property within five hundred feet (500') of the following**

(Please identify each item by filling in the appropriate blank after each item)

- (a) Boundary of the (City), (Village) or (Town) of: \_\_\_\_\_
- (b) Boundary of any existing or proposed (County) or (State Park) or any (Other Recreation Area): \_\_\_\_\_
- (c) Right-of-way of any existing or proposed (County) or (State Parkway), (Thruway), (Expressway), (Road) or (Highway); (Include (County) or (State Route) # and name of (Road): \_\_\_\_\_
- (d) Existing or proposed right-of-way of any stream or drainage channel owned by the (County) or for which the county has established channel lines: \_\_\_\_\_
- (e) Existing or proposed boundary of any (County) or (State) owned land on which a public building or institution is situated: \_\_\_\_\_
- (f) The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law (this subparagraph shall not apply to the granting of areavariances: \_\_\_\_\_

**Hearings/Meetings Schedule**

Board	Public Hearing Date	Meeting Dates (prior and future)
Town Board/Village Board of Trustees	4/11/26	
Zoning Board of Appeals		
Planning Board/Planning Commission		4/6/2026
City Council		

Action taken on this application (reviewed, approved, discussed, etc.) \_\_\_\_\_

**“Full Statement” Checklist**

As defined in NYS General Municipal Law §239-m (1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate.

***For All Actions:***

- \_\_\_\_\_ Chemung County Planning Board – Municipal Referral Form
- \_\_\_\_\_ All application materials required by local law/ordinance to be considered a “complete application” at the local level (PDF preferred).
- \_\_\_\_\_ Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- \_\_\_\_\_ Agricultural Data Statement, for site plan review, special/conditional use permit, usevariances, or subdivision review located in an Agricultural District or within 500 feet of a farm operation located in an Agricultural District, per Ag. Districts Law Article 25AA §305-a, Town Law §283-a, and Village Law §7-739.
- \_\_\_\_\_ Municipal board meeting minutes on the proposed action (PDF preferred).

***For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND***

- \_\_\_\_\_ Report/minutes from Town Board, Village Board or Trustees or Planning Board (PDF preferred)
- \_\_\_\_\_ Zoning Map
- \_\_\_\_\_ Complete text of proposed law, comprehensive plan, or ordinance (PDF preferred)

Submit this form with supporting documentation in PDF format to the Chemung County Planning Department via email if from webpage: [planning@chemungcountyny.gov](mailto:planning@chemungcountyny.gov). Send to [lhotaling@chemungcountyny.gov](mailto:lhotaling@chemungcountyny.gov) and [nmoss@chemungcountyny.gov](mailto:nmoss@chemungcountyny.gov) otherwise. Completed referrals must be submitted by close of business 12 calendar days prior to the Chemung County Planning Board meeting.

Resolution adopted by the Town Board of the Town of Southport at a meeting thereof held on March 10, 2026.

RESOLUTION NO. 61-2026

PROPOSED

LOCAL LAW NO. 2 OF 2026, A SIX-MONTH EXTENSION OF THE TEMPORARY MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANSFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

Resolution by: Hurley  
Seconded by: Mathews

WHEREAS, the Town of Southport enacted Local Law No. 1 of 2022 in April of 2022 titled a Temporary 12-Month Moratorium for Operating Unlicensed Retail Businesses Involving the Transfer, Distribution, or Sale of Cannabis to allow the Town of Southport to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a "gift" to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt and enacted a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis to allow the Office of Cannabis Management to complete regulations and rules to oversee the licensing, cultivation, production, distribution, sale, laboratory testing and use of cannabis; and

WHEREAS, the Town of Southport enacted Local Law No. 3 of 2023, Local Law No. 13 of 2023, Local Law No. 1 of 2024, Local Law No. 3 of 2024, Local Law No. 3 of 2025, and Local Law No. 5 of 2025 for six-month extensions of the temporary moratorium; and

WHEREAS, to date the Town of Southport is concerned with the lack of regulatory enforcement of unlicensed cannabis retail business as described in Local Law No. 1 of 2022, and wishes to extend the moratorium for an additional six (6) months to update its comprehensive plan and further review its zoning and code regulations related to this issue; and

THEREFORE BE IT RESOVLED, that the Town Board of the Town of Southport now refers this proposed extension of the moratorium, Local Law No. 2 of 2026, to the Town of Southport Planning Board and the Chemung County Planning Board; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Southport, County of Chemung, State of New York hereby schedules a public hearing to receive public comment for this Local Law No. 2 of 2026, A Six Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport on April 14, 2026 at 6:00 p.m., or as soon after as it may be heard, at Town of Southport Town Hall, 1139 Pennsylvania Avenue, Elmira, New York 14904 and said Local Law is as follows:

## PROPOSED

### LOCAL LAW NO. 2 OF 2026, A SIX-MONTH EXTENSION OF THE TEMPORARY MORATORIUM FOR OPERATING UNLICENSED RETAIL BUSINESSES INVOLVING THE TRANSFER, DISTRIBUTION, OR SALE OF CANNABIS WITHIN THE TOWN OF SOUTHPORT

#### Section 1. TITLE.

This local law shall be known as “Local Law No. 2 of 2026, A Six-Month Extension of the Temporary Moratorium for Operating Unlicensed Retail Businesses involving the Transfer, Distribution, or Sale of Cannabis Within the Town of Southport”.

#### Section 2. LEGISLATIVE INTENT

- A. Since the enactment of Local Law No. 1 of 2022, Local Law No. 3 of 2023, Local Law No. 13 of 2023, Local Law No. 1 of 2024, Local Law No. 3 of 2024, Local Law No. 3 of 2025, and Local Law No. 5 of 2025, the New York State Office of the Cannabis Management is still finalizing the issuance of licenses for businesses to allow for the legal sale of adult-use cannabis or cannabinoid hemp licenses. In addition, regulatory enforcement is lacking for the unlicensed cannabis retail business which are the subject of this local law. Therefore, to prevent unlicensed businesses in the Town from providing, distributing, or transferring cannabis as a “gift” to customers which may be based upon the conditional purchase of a product for sale, including but not limited to, an item such as a sticker or shirt, the Town wishes to continue to enact a Town wide moratorium for the establishment of any unlicensed business that distributes, transfers, or sells cannabis.
- B. During this additional six (6) month moratorium, the Town of Southport will continue to review and update its zoning code and regulations and monitor the adoption and enforcement of the rules and regulations regarding licensure by the Office of Cannabis Management (OCM). The Town Board has deemed this an appropriate amount of time to study whether additional local action is necessary; the extent of such action; if such local action is necessary; provide the Town Board with the time to adopt the appropriate local rules and regulations to ensure comprehensive uniformity, fairness, and consistency in such regulations governing the time, place, and manner of the operation of licensed adult use cannabis retail dispensaries and/or on-site consumption cannabis businesses.
- C. The Town of Southport does hereby find a six (6) month extension of this moratorium is necessary and reasonable in order to afford the Town time to evaluate whether appropriate laws or ordinances should be enacted for the health, safety, and welfare of the Town residents and properly aligned with the Comprehensive Plan. A Six-Month extension of this moratorium will prevent the establishment of unlicensed businesses related to distribution and/or consumption of cannabis as described herein. The health, safety and general welfare of the residents will be protected by the adoption of the moratorium pending the issuance of final regulations by the Town of Southport.
- D. The Town Board finds pursuant to 6 NYCRR 617.5(c) (30) that the adoption of this extension to the moratorium of land development or construction is a Type II action under the New York State Environmental Quality Review Act (“SEQR”) which has been determined to not have a significant impact on the environment.

#### Section 3. EXTENDED TERM FOR MORATORIUM

- A. The moratorium as referenced herein and last extended by Local Law No. 5 of 2025 shall be extended for an additional six (6) months.

- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of 2022 and Local law No. 3 of 2023, Local Law No. 13 of 2023, Local Law No. 1 of 2024, Local Law No. 3 of 2024, Local Law No. 3 of 2025 and Local Law No. 5 of 2025 shall remain in effect and be extended for an additional six (6) months from adoption.

**Section 4. AUTHORITY**

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rules Law § 10.

**Section 4. SUPERCESSION OF THE TOWN LAW**

This local law is hereby adopted pursuant to Municipal Home Rules Law § 10. It is the intent of the Town Board, pursuant to Municipal Home Rules Law to supersede the following provisions of the New York State Town Law as it relates to zoning and planning determinations under the Town Law § 274-a and b, § 267-a and b, § 276 and § 277.

**Section 11. INCONSISTENT LAWS**

All laws inconsistent with any provision or provisions of this law are hereby repealed.

**Section 12. SEVERABILITY**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law, or the application thereof to any person, firm, or corporation or circumstance, is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law, or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

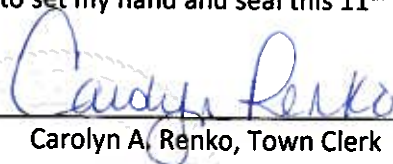
**Section 5. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the New York State Secretary of State.

AYES: Hurley, Mathews, Steed, Roman  
NOES: None  
ABSENT: Williams  
CARRIED.

I, Carolyn A. Renko, Town Clerk of the Town of Southport, New York, do hereby certify that I have compared the foregoing with the resolution duly adopted by the Town Board of the Town of Southport on the 10<sup>th</sup> day of March, 2026, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11<sup>th</sup> day of March, 2026.

  
\_\_\_\_\_  
Carolyn A. Renko, Town Clerk

