

# Niagara County Tribune/Sentinel

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## Marijuana law poses 'significant changes' for many

New challenges seen for law enforcement, courts, municipalities

BY TERRY DUFFY  
Editor-in-Chief

It all boils down to more questions being raised by New York state than there are answers.

On March 31, Gov. Andrew Cuomo signed legislation that created the 128-page Marijuana Regulation and Taxation Act of 2021 following approvals in both the state Assembly and Senate.

As a result, New York joins 15 other states that now permit recreational cannabis use and retail sale for adults age 21 and older.

Expanding on New York's existing medical marijuana law, the new measure now allows for the individual possession of up to 3 ounces of marijuana on one's person and eventually up to 5 pounds on an individual's property. It also provides for the legal consumption of marijuana in public in the same sense as cigarette smoking is permitted in designated areas.

For law enforcement, it presents a whole new quagmire.

"Municipal law enforcement departments should be wary of continuing past law enforcement efforts pertaining to cannabis," commented attorney Paul J. Sweeney, a partner with Coughlin & Gerhart LLP of Binghamton. "First the law expressly prohibits state and local law enforcement from providing assistance to the federal government or any of its agencies in enforcing the federal controlled substances law with regard to conduct permitted under the new cannabis

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River Region businesses still *STILL* open, part III

## Behind-the-scenes work continues at FRONTIER HOUSE, PLAZA; BBC aims for summer reopening

BY JOSHUA MALONI  
GM/Managing Editor

As we conclude our series on Lewiston businesses operating during the brunt of the coronavirus pandemic, updates are presented on the Frontier House, the new plaza and the Brickyard Brewing Company.

Two of the largest construction projects underway in the Village of Lewiston are being spearheaded by Buffalo's Ellicott Development, a self-described "full-service real estate, leasing, management and development firm," that handles more than 7 million square-feet of office, retail, residential and hotel space.

### Frontier House

On Feb. 12, 2019, a then-195-year-old Frontier House was sold to a limited liability company operated by Ellicott Development CEO William Paladino and Lewiston developers Jeff and Jerry Williams, plus another partner, builder Bill Game.

The new owners expressed optimism about what the five-level structure could become. A packed Lewiston Public Library heard all about the Frontier House's history, while the grounds around the former tenant's (McDonald's Restaurant) playground were cleaned up.

Of course, residents were eager to see continued progress in 2020. Like so many projects in Lewiston, however, visible work at the Frontier House stalled during the coronavirus pandemic.

In December, Grand Island's award-winning Abraxas Inc. began stabilizing and weatherproofing the structure by removing old mortar and replacing missing pieces with a special blend to match what's existing.

Last week, Paladino said, "I just want people to be understanding that the Frontier House, you're

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Top to bottom: Mortar work began in December on the Frontier House. • Portions of plaza buildings one and two are open to the public, while building three (pictured) is under construction. • A look at some of the work taking place inside the Brickyard Brewing Company. (Photo courtesy of Steve Matthews)

Town of Niagara

## Board rescinds approval of asphalt plant

Negative SEQR declaration pulled; proposal will now go before Niagara County Planning Board

BY MICHAEL DEPIETRO  
Tribune Editor

The Town of Niagara Board unanimously voted Wednesday to rescind its approval of an asphalt project it had approved on July 21, 2020. The move comes amid significant public outcry to the project and pushback from neighboring communities. The facility was planned to be built at 4660 Witmer Road, near Niagara University's southern entrance.

The Town Board went into a special session during its monthly work session and passed a resolution to rescind, revoke and cancel both its negative SEQR declaration and its approval of the final site plan request of 4660 Witmer Road LLC, the company behind the project. The resolution directs both board items be referred to the Niagara County Planning Board for review pursuant to the New York state general municipal law.


Attorney Michael Risman said afterward that, upon reviewing the case based on complaints the town received from the county and other neighboring municipalities, he determined the approved plans were indeed in violation of New York state general municipal law 239-M, which stipulates final site plan approval would have been made by the County Planning Board before any action could be taken by the town.

"We've received communications from the County Planning Department, we've also been contacted by Niagara University, the Town of Lewiston, and I think representatives from the City of Niagara Falls," Risman said. "If it goes through the process again; if (the perspective purchaser of the property) still

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