



Office of Cannabis Management

KATHY HOCHUL

Governor

TREMAINE WRIGHT

Cannabis Control Board Chair

JESSICA GARCIA

Board Member

HOPE KNIGHT

Board Member

ADAM W. PERRY

Board Member

JENNIFER GILBERT JENKINS

Board Member

CHRIS ALEXANDER

Executive Director

Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	October 17, 2023 at 10:00AM
Location:	SUNY Global Center, 116 E 55 th St., Global Classroom, New York, NY 10022, SUNY Morrisville, Bicknell Hall, Room 212, 80 Eaton St., Morrisville, NY 13408, 181 Ellicott St., Buffalo, NY 14203, and Virtual via Webcast

Attendance

Board Chair:	Tremaine Wright
Board Members Present:	Jessica Garcia
Board Members Present (virtually):	Adam W. Perry, Jennifer Gilbert Jenkins
Board Members Present (virtually from a private location due to extraordinary circumstances):	Hope Knight
Board Members Absent:	N/A
Others Present:	Chris Alexander, Linda Baldwin, John Kagia

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from September 12, 2023 Board Meeting
- IV. Consideration to Extend Certain Adult-Use Cannabis Application Windows
- V. Consideration of Emergency Violations, Hearings and Enforcement Regulations
- VI. Consideration of Laboratory Permit Application Denials
- VII. Consideration of Registered Organization Dispensary Relocation
- VIII. Executive Director Report
- IX. Public Comment
- X. Adjourn



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Action Items

Resolution No. 2023-38:	Resolution to Amend Resolution No. 2023-33 to Revise the Adult-Use Cannabis Application Period.	Passed, Unanimous Vote
Resolution No. 2023-39:	Resolution Directing the Office of Cannabis Management to File for Emergency Adoption and Revised Proposed Rulemaking of Certain Violations, Hearings, and Enforcement Regulations.	Passed, Unanimous Vote
Resolution No. 2023-40:	Resolution Denying the Issuance of Certain Cannabis Laboratory Permit.	Passed, Unanimous Vote
Resolution No. 2023-41:	Resolution to Approve a Certain Relocation Request of Registered Organization Dispensing Facility of Fiorello Pharmaceuticals, Inc.	Passed, Unanimous Vote – Board Member Garcia recused herself.

Notes & Comments

- Chair Wright read the following statement: “Please be advised, as a result of an incident that took place at the last Cannabis Control Board (CCB) meeting in September, the Office of Cannabis Management (OCM) and the CCB will be advising everyone present at this and future Board meetings to adhere to a standard of behavior that reflects the Board’s and the Office’s values of inclusivity and equity. The Board and Office expect all present at today’s meeting, including those who wish to provide comment and members of the audience, to be mindful at all times to conduct themselves with courtesy and respect for others. This includes adhering to time limits with regard to comments and avoiding behaviors that are disrespectful or disruptive or reflect racial or other biases in any way. Members of the audience should remember to listen and contain their reactions to any speakers so that anyone speaking can be heard without need to raise their voice. Anyone who chooses not to follow these basic standards of conduct will be asked to leave the meeting.”
- Chair Wright stated that a lot has taken place in New York State despite challenges and hurdles. She commented that from Saranac Lake to Astoria, New York’s cannabis market is growing and that they have had opportunity to celebrate store openings across the State and that she wanted to acknowledge and congratulate everyone opening their doors to customers for the first this week in Harlem, Astoria and the Lower East Side. She further commented that the New York cannabis market is expanded and being led by entrepreneurs who imbue the values of the MRTA, and that applications are open, and they encourage individuals to attend a Roadmap to Adult-Use Applications event either virtually or in their community over the next few weeks.
- Upon a motion from Board Member Adam Perry, and a second from Board Member Jennifer Gilbert Jenkins, the Minutes of the September 12, 2023 Cannabis Control Board Meeting were approved unanimously.



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- Executive Director Chris Alexander provided an overview of Resolution No. 2023-38, a Resolution to Amend Resolution No. 2023-33 to Revise the Adult-Use Cannabis Application Period. In response to interest from New Yorkers and from interested applicants across the country that are trying to get into New York's market, OCM recommended to the CCB an extension of two weeks to each of the adult-use application windows that were approved at the previous Board meeting. The retail and microbusiness window for applicants who are applying with proof of control over their location will be extended from November 3, 2023 to November 17, 2023. All other applications will be extended from Monday, December 4, 2023 to December 18, 2023. All deadlines will expire at 5:00pm.
- Chair Wright commented that she is very happy with this extension and that the Board is ready to consider what their new application windows look like and that they look forward to being able to establish a schedule that people can rely upon so that they have the ability to plan for their businesses.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Adam Perry, Resolution No. 2023-38, a Resolution to Amend Resolution No. 2023-33 to Revise the Adult-Use Cannabis Application Period, was approved unanimously.

- Linda Baldwin, General Counsel for OCM, provided an overview of Resolution No. 2023-39, a Resolution Directing the Office of Cannabis Management to File for Emergency Adoption and Revised Proposed Rulemaking of Certain Violations, Hearings, and Enforcement Regulations. These emergency regulations would amend the existing Part 133 Violations, Hearings and Enforcement Regulations. The regulations add several minor changes to help clarify and streamline the Administrative Law Judge (ALJ) hearing process for cases brought before the ALJ including:
 - Authorizing an ALJ to have the power to rule upon all requests, including the imposition of a stay during a proceeding.
 - Adding language to establish a process requiring an unlicensed entity to submit a certificate of compliance with any previously issued OCM order to close, or else be subject to the applicable per day penalty imposed for continuing noncompliance with the Order, calculated by counting the number of days between the date of issuance of the Order and any subsequent date confirming continued noncompliance with the Order.
- Chair Wright asked just to be clear, it in no way means that they will not have a surprise inspection in the case that they end up on their enforcement team's calendar for that week.
- Linda Baldwin commented that any business could actually be subject to an inspection at any time, that is their regulatory role, but it is just impossible for them to be everywhere all the time, and this allows them an opportunity.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Hope Knight, Resolution No. 2023-39, a Resolution Directing the Office of Cannabis Management to File for Emergency Adoption and Revised Proposed Rulemaking of Certain Violations, Hearings, and Enforcement Regulations, was approved unanimously.

- Executive Director Chris Alexander provided an overview of Resolution No. 2023-40, a Resolution Denying the Issuance of Certain Cannabis Laboratory Permit. This resolution



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seeks to deny the cannabis laboratory testing permit for Highgrade Labs of New York, LLC in Pomona, NY. OCM completed the review of and recommended to the CCB the denial of this applicant for a cannabis testing laboratory permit, due to the application being incomplete, and the applicant being unresponsive after requests for additional information.

- Board Member Jennifer Gilbert Jenkins asked does this mean that they still have now 16 labs moving towards full operation.
- Executive Director Chris Alexander responded yes.
- Board Member Gilbert Jenkins asked how many have finished the final process and have doors open.
- Executive Director Chris Alexander commented that all of the 16 that have been approved are operational to some extent, and that they do not all offer the entire testing profile, but they are all operational to some extent.
- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Jessica Garcia, Resolution No. 2023-40, a Resolution Denying the Issuance of Certain Cannabis Laboratory Permit, was approved unanimously.

- Board Member Jessica Garcia recused herself from Resolution No. 2023-41.
- Chair Wright provided an overview of Resolution No. 2023-41, a Resolution to Approve a Certain Relocation Request of Registered Organization Dispensing Facility of Fiorello Pharmaceuticals, Inc. If approved, this resolution would allow Fiorello Pharmaceuticals, Inc. to open their fourth medical dispensing facility. Fiorello currently has three facilities open in Monroe, New York, and Saratoga counties. They are seeking to open the fourth location in Nassau County. In accordance with Section 113.7 (h) of Title 9 Part 113, Medical Cannabis Regulations, the Board must consider whether to grant or deny an amendment to their registration. OCM has reviewed all information required to open a new registered organization dispensing facility and is recommending approval by the Board.
- Chair Wright asked why they are referring to this as a relocation and why is this not an approval of their fourth location.
- Executive Director Chris Alexander commented that because at the onset, they had identified a different location for their fourth dispensing area and that location did not open, but in their registration, they had a fourth location identified and this is changing it over from that.
- Chair Wright asked where their fourth location was.
- Executive Director Chris Alexander responded also in Nassau County, an in-county move.
- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Hope Knight, Resolution No. 2023-41, a Resolution to Approve a Certain Relocation Request of Registered Organization Dispensing Facility of Fiorello Pharmaceuticals, Inc., was approved unanimously.

- Executive Director Chris Alexander and John Kagia, Director of Policy for OCM, provided the following update for the Executive Director report.
 - Adult-Use Application
 - The Adult-Use Application window launched on October 4th.
 - Adult-Use license types available include:



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- Cultivator – Grows, clones, harvests, dries cures, grades, and trims cannabis plants. Certain cultivation types and tiers only.
- Processor – Extracts concentrated cannabis and/or compounds or manufactures cannabis products.
- Microbusiness – Must cultivate cannabis, and may also process, distribute, and sell its own products.
- Distributor – Sells pre-packaged, lab tested cannabis products wholesale to licensed retailers.
- Retail Dispensary – Sells cannabis products directly to consumers.
- Roadmap To Adult-Use Applications Tour
 - OCM has been out on the road across the state on the Roadmap to Adult-Use Applications Tour, meeting with the public, including prospective licensees, educating individuals, discussing the application process, and engaging in question-and-answer sessions.
 - The Roadmap to Adult-Use Applications Tour will assist individuals in understanding the licensing process, as well as provide an understanding to the Adult-Use Regulations.
- Cannabis Growers Showcase (CGS)
 - OCM continues to see many applications that come in for CGSs across New York, indicating the constant and strong demand for New York grown and produced cannabis and cannabis products.
- Market Update
 - Consumers have spent \$83 million on legal cannabis year to date.
 - CGS events have generated \$1.5 million year to date. Flowers and edibles are leading CGSs product demand.
- Board Member Gilbert Jenkins commented that the number of licenses for the growers is being kept quite low and asked if they anticipate that being a problem with the number of applications that they are going to see come in and how they are going to manage the number of applications versus the number of licenses that they want to give out right now.
- Executive Director Chris Alexander commented that not everybody applying is going to get a license and that there will be a random ordering to ensure that everybody has an opportunity. He further commented that the opening of subsequent license application windows will provide additional opportunities for individuals who do not get a license in this round. He also noted that they are not trying to create scarcity and are just trying to measure and grow the market responsibly.
- Chair Wright asked how many applicants they have seen thus far or is that unknown right now.
- Executive Director Chris Alexander commented that it is in the thousands that have been received but that an exact number has not been put out because it keeps changing. He further commented that he would get an exact number and a readout by application type.
- Board Member Gilbert Jenkins commented that she remains concerned about the low number of growers. She further commented that she understands the want to have some control over supply in the market, but in most of their industries they have a free marketplace



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and people are allowed to come in and some of them fail and some of them do well and that she is just concerned that when you get many thousand applications, to only pick 40 of them to get a license, how do you know that you are getting the best growers and how do you know that you are getting the strongest that are set to succeed and that it is just really concerning to her that it is such a low number.

- Chair Wright commented that while that is a recommendation from the Office, it does not mean that that has to be the limit and the Board does retain the ability to make some decisions later on in ongoing and consultation and if they find that there is still demand and need and that they want to move forward with it, then they definitely can and that they just use some guideposts for their determinations and that these are recommendations and the Board does not have to stick with those recommendations and they are able to determine what the strategy might be.
- Executive Director Chris Alexander commented that the Board has the authority to extend those numbers to issue more grow and that the Office is just trying to make sure that they keep a balanced market that does not kind of crash prices or anything.
- John Kagia presented the Market Update on New York cannabis retail sales.
- Chair Wright asked are they seeing a mixture of cultivators participating or are they seeing more of them that might not otherwise be in the limited number of retailers.
- John Kagia commented that they have and that one of the things that has really been both interesting and exciting to see as the CGS program has evolved is, as folks have had more time, they are thinking more creatively about how to do the CGSs.
- Chair Wright asked if they are seeing CSGs all across the state.
- John Kagia commented that they are and that it has been a great seeding of legal retail access across the state and that the majority of these events have happened upstate.

- Members of the public were provided the opportunity to address the CCB during the Public Comment period. Participating individuals must limit their remarks to two minutes and remarks should be related to agenda items. Public Comments are listed in Appendix A.

- Chair Wright asked for a motion to enter into Executive Session to discuss a specific litigation matter. Board Member Jessica Garcia moved the motion to enter into Executive Session and Board Member Hope Knight seconded. The CCB voted unanimously to oppose entering into Executive Session.

- The CCB adjourned the meeting.



Appendix A

NYS Cannabis Control Board 10/17/2023 Meeting – Public Comment

	First Name	Last Name	Organization (If Applicable)	Public Comment
1.	Dr. CJ	Segal-Isaacson	Cannabis Farmers Alliance	<p>I'm going to be presenting excerpts from a letter of presentation. I'm making reference to the same incident that was mentioned at the beginning. I represent the Cannabis Farmers Alliance, and I'd like to address, essentially, the elephant in the room with respect to Ms. Jeanette Miller's comments at the September 12th meeting. In her comments to the CCB, Ms. Miller was clearly speaking about her own desperation as a cannabis farmer and having no market for her two crops. She made it abundantly clear that she was out of money and time. At the end of her comments, Ms. Miller took a string she had around her neck and presented it to the Board as evidence of what she perceived had been done to her. There was no suggestion the Board should also hang themselves. Because Ms. Miller chooses to speak quickly, it is possible that Ms. White of OCM misunderstood Ms. Miller on this count. Ms. White grabbed Ms. Miller when she exited the CCB meeting room and accused her of being a racist. This has spread through OCM to the New York NYS Legislature, where CFA first heard of the slander and disinformation campaign against Ms. Miller. As leaders in cannabis advocacy in New York State, we recognize our responsibility in this regard. CFA as an organization, and Ms. Miller as an individual, have a commitment to diversity and fairness. We recognize that suicidal ideation is very serious. It is something for which professional help ought to be offered. One of Ms. Miller's points, not something to be suppressed. Further, there is data to support that open conversations about suicidal ideation help to alleviate distress, not propel others towards self-harm. It has also been documented that farmers have a very high rate of suicide. Therefore, we ask the CCB to make financial resources available to those who are in crisis. How am I doing for time, folks? Oh, okay. My comments actually go on the letter. I tried the timing and I can see I don't have time to present concrete suggestions for things that I think that, despite the fact the ROs were voted in, that I think that things that both CCB and OCM together could do, and I think they were already doing some things -okay, to alleviate -to help balance market. Thank you very much.</p>



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	First Name	Last Name	Organization (If Applicable)	Public Comment
2.	Peter	Hornick		Hi. My name is Peter Hornick. I'm representing myself. I'm a long-time, tall Upper West Side resident. I thank the Board very much for its efforts. I thank the Board for voting and approving Section 133 this morning. And those are the basis of my comments today. Downstate is different from Upstate in a lot of ways. Obviously, there's a lot more room Upstate. Real estate's beautiful and cheaper Upstate. And on the Upper West Side, where I've lived for twenty-odd years with my family and I've raised my family, the problem we're facing is what New York City Counsel calls saturation and inundation of nonlicensed dispensaries. In a ten-block area of the Upper West Side, there are ten unlicensed dispensaries. It creates problems for small businesses, which is part of the charter that created in the MRTA that did create Cannabis Control Board. It creates problems for nail salons. It creates problems for dry cleaners. All these issues make it very, very difficult for the public to be supportive of licensed dispensaries. Fantastic. So all I'm imploring with the Board is to continue with its efforts to support licensing and the appropriate processes. And those appropriate processes also include considering the locations of such facilities. And those facilities need to adhere to the 200- and 500- foot rules, which makes it very, very difficult on the Upper West Side when there are churches, and synagogues, and community facilities very interspersed there across multiple parts of the Upper West Side. So I am asking the Board to do proper due diligence, and I'm assuming they will because they're enshrined to do that in law, to make sure that they adhere to such regulations and placement. Thank you.
3.	Bruce	Sterman		Good morning. Control -- I'm Sorry, Bruce Sterman, Unlicensed NYC. Control over a proposed retail dispensary is language that needs greater clarity. Landlords are perplexed by what they're agreeing to. I would like to ask the Board and the Office of Cannabis Management, the General Counsel, to please provide a very clear statement as to whether specific language can be included in a letter of intent that will provide or satisfy the requirement here. Thank you.
4.	Shlomo	Weinstock	SAMJNY Holdings	How are you doing? My name is Shlomo Weinstock. SAMJNY in New York, Staten Island, first round. The reason I'm here today is our business is requesting to be added to the exempt list. Our store that boasts about a million-plus complete build-out, 4,700 square feet, ten parking spots, about fifteen-plus people hired, ready to serve. You know, we assure you that if we are added to



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				the exempt list, the forgotten borough will not be forgotten. Furthermore, business actually represents a unique union between myself, a Jew, and my partner, Muhammad, a Muslim. We, from day one, have planned this together. We are both applicants. We've both been arrested and we both had the business. We could have applied separately, but we decided to do this together. So the success in this endeavor, really, is going to act as a symbol for the world in unity. So please, we ask you to consider, being from the first round, fully built out, ready to go, consider us for the exempt list. Thank you for your time.
5.	David	Nicponski	Freshly Baked NYC	Thank you, members of the Control Board and OCM leaders. I appreciate the opportunity to speak to you again today. I remain David Nicponski, founder of Freshly Baked NYC, a CAURD retail licensee, number 652 in the Bronx region. Let me get straight to the point. Our industry remains in a precarious state, a situation that has rapidly deteriorated in recent months. There's plenty of blame to go around, but decisions made recently have worsened this crisis. You've heard from distressed farmers at the literal human limits in the September Albany meeting. Their absolute desperation now occurs across my fellow retail licensees. CAURD licensees, who have diligently followed OCM guidelines and advice, facing pending financial ruin, putting the entire supply chain at risk. We're bombarded with advice that is simultaneously conflicting and incomplete, causing feelings of abandonment and betrayal from the State. Worse still, recent court filings hinted that the State doesn't intend to uphold its commitments made privately to us licensees. The filing suggests that you can't or won't relicense many of the CAURD licensees who have followed advice and reapplied, and revealed an inability to follow the court-ordered instructions to file for injunction exemptions for the majority of licensees. This is vital information for CAURD licensees and was not communicated with us. Instead, we had to find it hidden in appellate court filings. We need clarity. Our essential questions necessary for making sound business decisions remain unanswered. The State appears to have shifted focus to program expansion at the expense of existing licensees, despite the private assurances we individually hear. We're on the brink of not just business failure, but devastating family impact. We trusted the State's promises, we followed guidance, and we need your support and prioritization to prevent complete and widespread disaster. In conclusion, many of



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				us survived and thrived despite the state's previously flawed prohibition enforcement. Yet the current trajectory threatens to undo the resilience. Don't let the State's legacy be one of disaster, trauma, and financial ruin for us. A categorical requirement, we licensees have previously been victimized by the State's misguided enforcement, yet we were resilient and went on to create successful businesses. Time is of the essence here. Don't let the destruction and disastrous outcome of repeated trauma to licensees and the vulnerable be the legacy of this program. Thank you.
6.	Walter	Iwachiw		Good morning. My name is Walter Iwachiw. I just have some problems I'm trying to present to the Board. The EIN number contained within the Business Express is wrong, and it keeps populating the forms. I've tried to call Business Express, and I've been told by Business Express, oh, talk to OCM. And I get no answers from OCM except go back to Business Express. So I'm stuck in a cycle. The other thing is the regulations are getting deeper and deeper. I suggest that maybe an AI chat box would help answer questions to people, since it's apparently hard to get in touch with people. Thank you very much.
7.	Tosin	Ajayi	Cannabis NYC	Hi. My name is Tosin Ajayi. I am a senior policy and research analyst with Cannabis NYC. I work with Dasheeda Dawson, founding director of Cannabis NYC. We are an interagency hub of city resources located within the New York City Department of Small Business Services. And we work we are organized intentionally to achieve our mission, which is to create an equitable, sustainable, and thriving cannabis industry in New York. I wanted to share some updates about what's happening at Cannabis NYC to support licensees and those interested in the legal industry. We are thrilled to have launched FastTrac for cannabis entrepreneurs, a ten-week virtual course to provide prospective cannabis entrepreneurs with the fundamentals of starting operating and scaling a cannabis-focused business in New York's emerging industry. Participants will learn how to navigate New York State's cannabis regulatory framework and explore different strategies to enter the market with one of the available operating licenses, or as an ancillary business. The deadline to apply is tomorrow, October 18th. So visit nyc.gov/cannabis and scroll to FastTrac for more information and to apply. Application is super easy. Only requirements are one, have a cannabis-related business idea, and two, commit to attending all ten sessions. We



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				also now have a cannabis focus we also now have cannabis-focused account managers on staff at business solutions centers throughout the five boroughs to assist cannabis businesses, specifically providing application assistance for the current cycle. They are also able to connect customers to other businesses, services, and resources available through the city. Cannabis NYC and SBS are also part of OCM's CHIP program, the Cannabis Hub and Incubator Program, to provide assistance to people applying for one of the five license types available. Remember, at least 50 percent of licenses are to go to social equity applicants, and we are here to help. That's the law. So take advantage of this opportunity. You can access these services through the hotline for NYC Small Business Services at 888-SBS-4NYC. That's 888-SBS-4NYC, or contact our team at cannabis@sbs.nyc.gov . Cannabis@sbs.nyc.gov. Thank you very much. I'm Tosin Ajayi. Thank you so much. Bye-bye.
8.	Zymia	Lewis	Big Gas Dispensary	Good morning. Zymia from Big Gas. Just a few things. Oh, sorry. I'm still not open. You know, congratulations on the win that we have with the exemptions. But then we were hit with the denial of the stay. So, oh, okay. Can you hear me? Okay. So again, I'm still not open, so we can make that clear. And I just want to say that in the Mid-Hudson region, there's no legal dispensaries open. You know, we're one of the only regions that do not have any dispensaries open. So trying to get dispensaries open in that area is very important. Also, I myself and other CAURD members, we would appreciate if there is some type of maybe online meeting that we can have. Some type of virtual meeting to explain where CAURD goes. I know we're under the injunction and there's not much that can be said, but I'm lost. It's in the dark. I just reapplied because I was told to reapply. I don't know under what structure. There's a lot of misinformation going on. So we've been under this injunction for two months. You know, that's a really long time to not have had a meeting at all for CAURD. For CAURD not to have heard anything. We send emails. I know you're tired of seeing my emails. Like, I know you are, but we need some type of whatever you guys can tell us. Just hold a meeting and tell us whatever information, clearing up the misconceptions of whatever you can say. Even if it's a non-question type of whatever meeting. You know, just give some type of information. We're all in the we're all lost and everyone's going hearsay. This is said. That is said. This is said. And that doesn't get us anywhere. If we



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				have to move forward under the general process, I'm all for that. I'm all for doing it. I just want to hear from OCM what I'm supposed to be doing so that I understand how I'm supposed to be doing it. Okay. Sorry. You guys are very good with the general application, and you've been focusing on that. But please don't forget about CAURD. Remember that we're here and we do need a meeting at some point. So thank you.
9.	Chris	Paez	TLC Creative Solutions	<p>Good morning, guys. My name is Chris Paez. I'm here with TLC Creative Solutions. I'm a CAURD member. Sorry. Hello? Can you hear me, everybody? Yeah, I'm lost. I'm here out of just pain. I'm tired of not having no no explanation of what we're going to do moving forward with CAURD. I'm losing all my money. I don't even live in New York anymore. It's like a sweet misery. I'm losing the passion out here. What are going to be the next steps for a CAURD? I've already applied, reapplied, and spoken to everybody possible. Emails are being ignored. I mean, what is the next step? What can we do? It's not fair. That's it. Bottom line. We got to step it up so CAURD can get full advantage of it. There's other loopholes that the MSOs are using to even get a part of the CAURD. I'm one of them. I'm one of the loopholes that one of the MSOs did. They're trying to literally buy me out, and a whole bunch of stuff, and I'm not having it. So I think we should just step on making sure that this marijuana taxation act goes to 50 percent of the social equity people. And that's about it. I ain't gonna sit here and bitch. If you please pardon my language, but I'm tired of it. I came from Miami. I left out of here. I'm from the Upper West Side. My region is Brooklyn. But yeah, it's tiring. Tired of this. We need to do something for the CAURD program. But thank you. Appreciate it.</p>
10.	Marissa	Lyons		<p>The lack of guidance for municipalities on microbusiness cultivation is making it practically impossible to find a location in Westchester and surrounding areas to provide indoor cultivation as required by the license. Every municipality has either created such restrictive zoning that nothing is available within it, or has purposely not created zoning laws yet as an excuse to why they wont allow it. We have been told by multiple towns that we would have to sue them to get them to permit us to open our microbusiness there, despite our locations being light industrial or industrial and not being within 1000 or more feet of any schools, churches, public play areas, etc. While I'm sure big corporations have the resources to fight this, the small microbusiness owners do not. Since the</p>



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				OCM is prioritizing applications with locations, it's likely that most microbusiness will get beaten out for the extremely limited amount of both licenses and locations that fit a very narrow criteria by larger, already established business. I think the is contraindicative of what the goal of this program is and would appreciate more support to prevent municipalities from enforcing such restrictions. Thank you
11.	LE	ES		For the processing section of the adult-use microbusiness application, I am confused what they are asking for from a Registered Architect. Please indicate how to proceed with the application and obtain a compliant location and if the compliant location is needed prior to submission.
12.	Bruce	Sterman		On Oct 4th the governor's office announced 246 additional unlicensed stores inspected for illegal activity since June. Great news. But these stores, presumably with a Notice of Violation on their front window, are still open for business with one 12" x 18" Notice of Violation. That is their legal right. But, if there is no legal limit on how many Notices can be applied to the front windows, put up more. One is not a big enough flashing red light warning to consumers, not loud enough. Make It impossible to walk past one of these stores without knowing illegality happened. Make the notices day-go orange or lime green, like the Parking Violation Bureau sticker on a booted car, VB or Dept of Health sticker on a closed restaurant; make it larger, 3ft x 4ft, or put 3 on every 4' x 8' section of front window. Make It impossible to miss the fact that ILLEGAL CANNABIS WAS SEIZED HERE . Conversely the licensed stores, the reason we are all here. Everyone walking past a legal store should know beyond a shadow of a doubt that that it is a regulated cannabis store, a legal store, a store where the products have been tested. Please make the license larger, make it impossible to miss, 3' x 4'. Blast it. Let the licensed stores flaunt their license. Give them three (3)! New Yorkers should know what the real license looks like. Please, do a marketing campaign on subways and buses showing a license: "This is a NYS Cannabis License. If you don't see it, you are buying untested products that are dangerous for your health."
13.	Dr. CJ	Segal-Isaacson	The Cannabis Farmers Alliance Growing	Dear Chairperson Wright and Other Members of The Cannabis Control Board, The Cannabis Farmers Alliance would like to address the elephant in the room with respect to Ms. Jeanette Miller's comments at the September 12th CCB meeting.



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			Renaissance LLC	<p>In her comments to the CCB, Ms. Miller was clearly speaking about her own desperation as a cannabis farmer in having no market for both her 2022 and 2023 crops. She made it abundantly clear that she was out of money and time, as are many other small, legal cannabis farmers, dispensary licensees and processors. Her point was that the rollout of the legal cannabis industry in New York State has been seriously mishandled and failed those they sought to help. This point was echoed by both many other CAURD and AUCC licensees present at the meeting.</p> <p>At the end of her comments, Ms. Miller took a string she had around her neck and presented it to the Board as evidence of what had been done to her. There was no suggestion the Board should also hang themselves.</p> <p>Because Ms. Miller chooses to speak quickly, it is possible that Ms. White of OCM misunderstood Ms. Miller on this count. Ms. White grabbed Ms. Miller when she exited the CCB meeting room and accused her of being a racist. This has spread through OCM to the NYS legislature where CFA first heard of the slander and disinformation campaign against Ms. Miller.</p> <p>As leaders in cannabis advocacy in New York State, we recognize our responsibility in this regard. CFA as an organization, and Ms. Miller as an individual, have a commitment to diversity and fairness.</p> <p>We recognize that suicidal ideation is very serious. It is something for which professional help ought to be offered – one of Ms. Miller’s points – not something to be suppressed. Further, there is data to support that open conversations about suicidal ideation help to alleviate distress, not propel others towards self-harm. It has also been documented that farmers have a very high rate of suicide. Therefore, we ask the CCB to make financial resources available to those who are in this crisis.</p> <p>We are appreciative that the CCB did eventually post the video proceedings of the September 12th meeting on YouTube, albeit without Ms. Miller’s videoed comments. Most of those who spoke, spoke poignantly about the extraordinary barriers they are trying to surmount to establish their small cannabis businesses. Many spoke about how much more difficult these obstacles will be with the entrance of the Registered Organizations into the</p>



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				<p>Adult Use market two years early.</p> <p>We ask the CCB and OCM to uphold the social equity platform of the MRTA and help at least partially correct the damage done to small cannabis businesses by allowing the ROs to enter the market two years early as well as by the slow roll-out of dispensaries by:</p> <ol style="list-style-type: none"> 1. Providing zero percentage and very low percentage interest loans to small cannabis businesses. These loans should provide to the neediest and not only to those who can demonstrate financial stability. 2. NYS purchasing 2022 and 2023 cannabis from farmers now to sell to processors as biomass when the market opens up more. 3. Creating incentives for processors to buy and pay farmers for their cannabis, perhaps as a tax rebate. 4. Creating a variety of flexible cultivator options for both microbusinesses and cultivators. For example, such as both greenhouse and indoor cultivation under the same license. 5. Allowing microbusinesses and Cultivation Tiers 1-2 sell their products to microbusinesses. 6. Monitoring the rate at which ROs sell the 50% adult-use cannabis products they purchase from non-RO growers. <p>Sincerely, Dr. CJ Segal-Isaacson for The Cannabis Farmers Alliance Growing Renaissance LLC, AUCC #236</p>
14.	Thomas	Ballistrea	Cannabaceae LLC	<p>My name is Thomas M Ballistrea Jr., I'm a graduate of the CCTM program and CEO of Cannabaceae LLC. I would like to extend my gratitude to the board and the office for extending the window for this round of license applications, this will allow some individual's more time to prepare to apply, thank you for hearing us and for taking action on our needs. I would also like to thank the board and the office for providing a pipeline for CCTM graduates to achieve licensure and for your continued support on our journeys. I would like to humbly also ask the board and the office to consider amending section 120.3 subdivision c paragraph 1 to include a combination cultivation option for indoor and outdoor Cannabis cultivation to allow</p>



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				<p>microbusinesses to compete in the adult use market. The current regulations limit the ability of the microbusinesses to be successful and in some cases make the structure of the microbusiness not economically viable given the ability of established licensees to produce Cannabis grown in a controlled environment. I would also humbly ask the board and the office to consider the contradiction between the guidance document for microbusiness operations and the limitation set in the application process that does not allow individuals to apply for the combination tier set forth in section 120.3 subdivision c paragraph 1 subparagraph iv "Combination canopy not to exceed outdoor canopy of 5,000 square feet and mixed-light canopy of 2,500 square feet." Negating the ability for individuals to apply within this category and other cultivation categories in this round of licensing is excluding individuals from a first to market advantage. Please consider why the guidance document outlines that this type of license would be available this round but the application does not list it as a license type when applying and please consider allowing microbusiness to apply for this license type and all other cultivation license types in the next round of licensing. Thank you for your commitment to community engagement and for carrying the load of creating an equitable adult use Cannabis market for all of us. I look forward to the possibility of having the privilege of being awarded a license in the adult use Cannabis industry and working with the board and the office to become a part of the solution.</p>
15.	Dr. CJ	Segal-Isaacson	Board of the Cannabis Farmers Alliance	<p>October 16, 2023</p> <p>Dear Chairperson Wright and Other Members Of The Cannabis Control Board,</p> <p>The Cannabis Farmers Alliance would like to address the elephants in the room with respect to Ms. Jeanette Miller's comments at the September 12th CCB meeting.</p> <p>In her comments to the CCB, Ms. Miller was clearly speaking about her own desperation as a cannabis farmer in having no market for both her 2022 and 2023 crops. She made it abundantly clear that she was out of money and time, as are many other small, legal cannabis farmers, dispensary licensees and processors. Her point was that the rollout of the legal cannabis industry in New York State has been seriously mishandled. This point which was echoed by both many other CAURD and AUCC licensees</p>



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				<p>present at the meeting.</p> <p>At the end of her comments, Ms. Miller took a string she had around her neck and presented it to the Board as evidence of what had been done to her. There was no suggestion the Board should also hang themselves.</p> <p>Because Ms. Miller chooses to speak quickly, it is possible that Ms. White of OCM misunderstood Ms. Miller on this count. Ms. White grabbed Ms. Miller when she exited the CCB meeting room and accused her of being a racist. This has spread through OCM to the NYS legislature where CFA first heard of the slander and disinformation campaign against Ms. Miller.</p> <p>As leaders in cannabis advocacy in New York State, we recognize our responsibility in this regard. CFA as an organization, and Ms. Miller as an individual, have a commitment to diversity and fairness.</p> <p>We recognize that suicidal ideation is very serious. It is something for which professional help ought to be offered – one of Ms. Miller’s points – not something to be suppressed. Further, there is data to support that open conversations about suicidal ideation help to alleviate distress, not propel others towards self-harm.¹ It has also been documented that farmers have a very high rate of suicide. According to a 2016 Center for Disease Control Study, farmers have a suicide rate five times higher than the general population. Therefore we ask the CCB to make financial resources available to those who are in this crisis.</p> <p>We are appreciative that the CCB did eventually post the video proceedings of the September 12th meeting on YouTube, albeit without Ms. Miller’s videoed comments. Most of those who spoke, spoke poignantly about the extraordinary barriers they are trying to surmount to establish their small cannabis businesses. Many spoke about how much more difficult these obstacles will be with the entrance of the Registered Organizations into the Adult Use market two years early.</p> <p>We ask the CCB and OCM to uphold the social equity platform of the MRTA and help at least partially correct the damage done to small cannabis businesses by allowing the ROs to enter the market two years early as well as by</p>



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				<p>the slow roll-out of dispensaries by:</p> <p>Providing zero percentage and very low percentage interest loans to small cannabis businesses. These loans should provide to the neediest and not only to those who can demonstrate financial stability.</p> <p>Purchasing 2022 and 2023 cannabis from farmers for use as biomass.</p> <p>Creating incentives for processors to buy and pay farmers for their cannabis, perhaps as a tax rebate.</p> <p>Creating a variety of flexible cultivator options for both microbusinesses and cultivators. For example such as both greenhouse and indoor cultivation at the same location.</p> <p>Actually allow farmers to switch both tiers and type of cultivation within a licensing period, as well as allowing microbusinesses to move both their cultivation and retail locations within a licensing period.</p> <p>Allowing microbusinesses to sell their products to other microbusinesses.</p> <p>Monitoring the rate at which ROs sell the 50% adult-use cannabis products they purchase from non-RO growers.</p> <p>Thank you very much for giving this your attention.</p> <p>Sincerely, Dr. CJ Segal-Isaacson for the Board of the Cannabis Farmers Alliance</p>
16.	Joseph	Calderone	Cannabis Farmers Alliance	<p>October 16, 2023</p> <p>Dear Chairperson Wright and Other Members Of The Cannabis Control Board,</p> <p>The Cannabis Farmers Alliance would like to address the elephants in the room with respect to Ms. Jeanette Miller’s comments at the September 12th CCB.</p> <p>Subject of Suicidal Ideation</p> <p>The first 140 seconds of Jeanette Miller’s public comments she quoted multiple members of the CCB, OCM and the Legislature who she felt did not fulfill their contractual obligations to AUCCs and CAURDs. Legally, she “relied” on the office’s guidance. The reliance of which was breached many times.</p> <p>The last 60 seconds or so included Jeanette Miller’s</p>



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				<p>personal experience with suicidal ideation resulting from the onerous and emotionally debilitating conditions she and other farmers are facing because of this injurious program rollout. In fact, Ms. Miller was the subject of Tess Interlicchia’s public comments when she revealed she had to call in a “Welfare Check” for a CFA member who was in serious psychological duress resulting from the chaotic conditions of the state’s decisions. Her experience tracts with that of farmers at risk of losing their farms across the United States and in New York State.</p> <p>We know that farmers have the highest suicide rate behind military veterans so as an organization CFA takes mental health issues quite seriously especially because there have been a series of these incidents among our cannabis farmer community.</p> <p>Subject of Racism</p> <p>At the conclusion of the final 60 seconds of Jeanette Miller’s public comment, she presented a knotted section of paracord, no bigger than the circumference of a charging cord. Ms. Miller took a string she had around her neck and presented it to the Board as evidence of what had been done to her. There was no suggestion the Board should also hang themselves.</p> <p>Because Ms. Miller chooses to speak quickly, it is possible that Ms. White of OCM misunderstood Ms. Miller on this count. Ms. White grabbed Ms. Miller by the arm when she exited the CCB meeting room and accused her of being a racist. This has spread through OCM to the NYS Legislature where CFA first heard of the slander and disinformation campaign against Ms. Miller.</p> <p>We are appreciative that the CCB did eventually post the video proceedings of the September 12th meeting on YouTube, albeit without Ms. Miller’s videoed comments. Most of those who spoke, spoke poignantly about the extraordinary barriers they are trying to surmount to establish their small cannabis businesses. Many spoke about how much more difficult these obstacles will be with the entrance of the Registered Organizations into the Adult Use market two years early.</p> <p>Why did the CCB remove the entire testimony when the subject of suicidal ideation only represented the last 60</p>



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				<p>seconds of the entire public comment? How did the CCB's General Counsel justify excising Jeanette Miller's entire public comment? Was Ms. Miller's entire public testimony considered a threat to others who might be experiencing suicidal ideation or was it just the last 60 seconds that were problematic?</p> <p>Both of these actions taken by the OCM/CCB have a chilling effect on the ability of our membership to communicate their experiences to our elected and appointed public servants. As an organization, CFA is highly sensitive to the multi-generational trauma people of color have experienced through entrenched racism. Jeanette Miller understands certain symbols can be triggering to the African American community, the intention was to raise awareness of the high rates of suicide among the farming community in times of crisis. This is a well known fact and she has every right to bring this to the attention of regulators whose decisions have created a climate of instability that could lead some to engage in this unfortunate behavior.</p> <p>Cannabis Farmers Alliance Board Members & Co-Founders: Jeanette Miller, Chair Joseph Calderone Tess Interlicchia Justin Merkel Steve Halton Nic Fera Dr. CJ Segal-Isaacson</p>