



# 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

**FELICIA A. B. REID**

Acting Executive Director

## Meeting Minutes

<b>Title:</b>	New York State Cannabis Control Board Meeting
<b>Time &amp; Date:</b>	July 10, 2024 at 10:30 AM
<b>Location:</b>	CUNY on the Concourse, 2501 Grand Concourse, Bronx, NY 10468, SUNY Morrisville, Bicknell Hall, Room 212, 80 Eaton St., Morrisville, NY 13408, 181 Ellicott St., Buffalo, NY 14203, and Virtual via Webcast

## Attendance

<b>Board Chair:</b>	Tremaine Wright
<b>Board Members Present:</b>	Hope Knight
<b>Board Members Present (virtually):</b>	Adam W. Perry, Jennifer Gilbert Jenkins
<b>Board Members Present (virtually from a private location due to extraordinary circumstances):</b>	Jessica Garcia
<b>Board Members Absent:</b>	N/A
<b>Others Present:</b>	John Kagia, Patrick McKeage, Felicia A. B. Reid, Tabatha Robinson
<b>Others Present (virtually):</b>	Daniel Haughney

## Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from June 11, 2024 Board Meeting
- IV. Consideration of Adult-Use Applications for Approval
- V. Consideration of Conditional Adult-Use Applications for Denial
- VI. Consideration of Adult-Use Applications for Denial
- VII. Consideration of Cannabis Control Board Municipal Opinion Review and Response Process
- VIII. Consideration of Proposed Regulations for Packaging, Labeling, Marketing and Advertising
- IX. Office of Cannabis Management Report
- X. Public Comment
- XI. Adjourn



# Office of Cannabis Management

## Action Items

<b>Resolution No. 2024-81:</b>	Resolution to Issue Certain Adult-Use Cannabis Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2024-82:</b>	Resolution to Deny Certain Conditional Adult-Use Cannabis Licenses.	Vote to Table Resolution – Passed, Unanimous Vote
<b>Resolution No. 2024-83:</b>	Resolution Denying the Issuance of Certain Adult-Use Retail Dispensary Licenses.	Resolution Tabled
<b>Resolution No. 2024-84:</b>	Resolution to Establish a Procedure for Responses to Municipal Opinions.	Passed, Unanimous Vote
<b>Resolution No. 2024-85:</b>	Resolution Directing the Office of Cannabis Management to Issue for Public Comment Certain Proposed Cannabis Packaging, Labeling, Marketing and Advertising Regulations.	Passed, Unanimous Vote

## Notes & Comments

- Chair Wright commented that here at the Office of Cannabis Management (“OCM” or “the Office”) the work continues, and they are excited to announce that they are approaching the opening of their 150th licensed dispensary here in the state. She noted that not only are stores opening, but they have continually been able to meet the Marihuana Regulation and Taxation Act (MRTA) goal of awarding 50% of licenses to Social and Economic Equity (SEE) applicants. She stated that meanwhile, the Enforcement Task Force has been actively shutting down unlicensed locations which has been a problem in so many communities. She further stated that the Task Force has now padlocked over 150 locations and they are eager for their work to continue as more consumers transition to the legal market.
- Upon a motion from Board Member Hope Knight, and a second from Board Member Jennifer Gilbert Jenkins, the Minutes of the June 11, 2024 Cannabis Control Board (“CCB” or “the Board”) Meeting were approved unanimously.
- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of an amended Resolution No. 2024-81, a Resolution to Issue Certain Adult-Use Cannabis Licenses. Before the Board today is the sixth cohort of adult-use cannabis licenses which have cleared the multistep review process and are being recommended to be approved by the Board. These applications are from the application window that opened on October 4, 2023 and closed for all types of applications on December 18, 2023. The 109 applicants include 21 retail dispensaries, 23 microbusinesses, 23 cultivators, 20 distributors and 22 processors. In addition, the Office is in the process of issuing an additional 12 provisional retail dispensary licenses. If approved, this will make 729 adult-use cannabis licenses approved in 2024.



## Office of Cannabis Management

- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Hope Knight, an amended Resolution No. 2024-81, a Resolution to Issue Certain Adult-Use Cannabis Licenses, was approved unanimously.
- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-82, a Resolution to Deny Certain Conditional Adult-Use Cannabis Licenses. Per the Cannabis Law, the Board is charged with the authority to issue or refuse to issue any registration, license or permit. The applications before the Board for denial are initial Conditional Adult-Use Retail Dispensary (CAURD) applications from the CAURD application window which closed in September 2022, but were delayed in issuance of denials because of CAURD litigation. The applications recommended for denial are CAURD applicants that did not meet the requirements of the CAURD program as set out in Part 116 of Title 9 of New York Code Rules and Regulations. The most common deficiencies include:
  - Unable to prove justice involvement as defined in 116.4(a)(2)(i)
  - Unable to prove qualifying business as defined in section 116.4(a)(2)(iii)
- Board Member Adam Perry stated that his understanding from reading the statute is that the Board is not required to, nor is it empowered to, vote on denials but only on recommendations for approvals by the Office. He stated that he has asked for a legal opinion on that, and nobody has explained to him how the statute requires this to occur. He further stated that he is objecting to the entire process of voting on denials, especially denials where they have situations where somebody has applied three times and they are granting one of their licenses, but not in the others or times when licenses haven't been filed with the requisite fee or other kinds of deficiencies, and considering all of the matters that they have before them, and all of the concerns that applicants have about processing time and addressing issues that they have, he does not know how and why the Board is being asked to look at every single action taken by the Office, that they have to give it to them, and then they would have to decide on the denial.
- Chair Wright stated that she would follow up with counsel to get an opinion so that they can address those concerns, and hopefully, they will be able to get a better understanding of what all of the legal requirements are of them and the decision-making process that got them here and maybe they do need to self-correct, and they will look forward to getting that and they will try to address that before their next meeting so that they get some clarity on this matter.
- Upon a motion from Board Member Adam Perry, and a second from Board Member Hope Knight, No. 2024-82, a Resolution to Deny Certain Conditional Adult-Use Cannabis Licenses, was approved unanimously to table Resolution No. 2024-82.
- Resolution No. 2024-83, a Resolution Denying the Issuance of Certain Adult-Use Retail Dispensary Licenses, was tabled.
- Patrick McKeage, Chief Operation Officer for OCM, provided an overview of Resolution No. 2024-84, a Resolution to Establish a Procedure for Responses to Municipal Opinions. This resolution outlines the process for how the Board will respond to local municipalities and Community Boards who provided an opinion on the issuance of a cannabis license. Pursuant to Section 76(4) in the Cannabis Law, the Board must respond to municipalities who issue an opinion on whether to grant a license. The Board is delegating to the Office the ability to



## Office of Cannabis Management

respond to municipalities who issue a positive opinion on a license. Responses to negative opinions will be approved by the Board.

- Board Member Jennifer Gilbert Jenkins asked if the email that they were sent that sort of updated all this information simplified it from multiple forms into one.
- Patrick McKeage stated that the Attachment A to the resolution, that is the sample response or a positive opinion, so that is what is included in the resolution now.
- Board Member Adam Perry asked does this require the Board to consider and each individual board member actually review, pass on and vote on every single municipal opinion.
- Patrick McKeage stated that just the negative ones is the current framework.
- Board Member Adam Perry asked how many negative opinion letters from municipalities have they received.
- Patrick McKeage responded that approximately around fifty.
- Board Member Adam Perry stated that it seems like a lot more and that he has seen a lot more than that and asked are you comfortable with that number.
- Patrick McKeage stated that just for the licenses that they approved, and they have definitely received a lot more just for all the applications that have been submitted.
- Board Member Adam Perry asked is the Board ever involved with review of negative opinion letters or licenses that the Office is not approving under this procedure that is being proposed.
- Patrick McKeage stated that just if it is a recommend for denial.
- Board Member Adam Perry asked are they talking about a license that the Office is recommending grant of, but the municipality recommends denial.
- Patrick McKeage responded correct.
- Board Member Adam Perry asked if they had about fifty of those situations.
- Patrick McKeage responded yes, approximately.
- Board Member Adam Perry asked is the Office giving them a recommendation as to its view of whether the municipal denial is well-founded.
- Patrick McKeage responded yes, exactly and that is part of the process that is included in the support packet as the Executive Director recommendation.
- Board Member Adam Perry stated that this would just be another matter that is attached only to licenses the Office is recommending and asked is this the only time that the Board would have to address this.
- Patrick Mckeage responded correct.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2024-84, a Resolution to Establish a Procedure for Responses to Municipal Opinions, was approved unanimously.

- John Kagia, Senior Director of Policy for OCM, provided an overview on the proposed Cannabis Packaging, Labeling, Marketing and Advertising Regulations. This resolution includes proposed amendments to Packaging, Labeling, Marketing and Advertising (PLMA) Regulations which were originally adopted in March 2023. The proposed amendments consider recommendations made by licensees and other stakeholder groups and also aim to alleviate burden on licensees while maintaining rules that maintain the safety and quality of



## Office of Cannabis Management

cannabis products, inform consumers, and protect against the packaging, labeling and marketing of cannabis products in a manner that targets individuals under 21.

- Revisions to Part 128 aim to:
  - o Streamline OCM operations by reducing common causes of Statements of Findings for which there is no risk to health and safety.
  - o Provide technical edits to accommodate the medical cannabis program whose regulations now point to Part 128.
  - o Clarify existing provisions.
  - o Codify changes previously implemented in guidance only.
- The environmental sustainability program aims to reduce the environmental impact of cannabis packaging by implementing policies that help reduce single-use plastic. Additional revisions were made to the sustainability provisions which aim to:
  - o Ensure requirements are feasible for licensees' by allowing a phase-in period.
  - o Implement exceptions to ensure packaging maintains child-resistant requirements, such as for components of packaging that where there are not alternatives.
  - o Revise the timeline for Environmental Sustainability Product Packaging Plan upon license renewal.
- Revisions to Part 129 aim to:
  - o Ensure that licensees remain competitive, particularly in an environment with widespread proliferation of illicit cannabis businesses.
  - o Maintain New York State's commitment to protect public health and safety.
  - o Clarify existing provisions.
  - o Codify changes previously implemented in guidance only.
- Highlights include:
  - o New allowances for outdoor signs, including the removal of the (2) per licensee limit to allow for more signage.
  - o New allowances for promotions and product discounts.
  - o Adjusted audience composition requirements for certain cannabis advertisements to conform to the proportion of the State that is 21 and older.
- Board Member Adam Perry asked how many of the SEE license applications they received in the November 2023 queue have been processed.
- Board Member Adam Perry stated that he just wanted to make sure that he ask these because he received some inquiries from legislators and he needs to know how many were received for the November 2023 queue, how many were processed for the November 2023 queue, how many approved, and of that pool how many were contacted were given an opportunity to cure defects, and how many denials has the Office made.
- John Kagia stated that he thinks that is going to be the next stage of the presentation, which is the OCM report.



## Office of Cannabis Management

- Board Member Adam Perry asked with regard to the license flow and the potential of a crash of the market or a depression in the market that they hear about happening in other states, at this point, what is the total number of projected licenses that they expect to grant for the entire New York State (NYS) market.
- Board Member Jennifer Gilbert Jenkins asked if they could have this conversation later. She stated that it has nothing to do with the packaging and labeling regs that they are supposed to be looking at now.
- Board Member Adam Perry stated that these issues are connected in a number of ways.
- Chair Wright stated that let them hear the questions and they will get the responses related to packaging and labeling, and these they will have on the record and will be able to refer back during the next portion of the meeting when they are getting the Executive Report.
- Board Member Adam Perry stated that there is a billboard apparently up here and asked what the rule and the issue with that is.
- John Kagia stated that while they still maintain a prohibition on advertising on billboards, billboards can be used to indicate a licensee's location so you can provide your name, logo, address and contact information.
- Chair Wright asked how this aligns with the medical labeling requirements that currently exist.
- John Kagia stated that one of the reasons why this is so timely is because sensibly the medical rules and the adult-use market have been operating based on slightly different sets of rules and this brings them largely under the same umbrella. He stated that there are going to be still a couple of rules that are specific to the medical market, but broadly speaking for PLMA, it now harmonizes the rules and he thinks that this is going to make it much easier for both sides of the market to be singing off of a single hymnal and make it easier for compliance to make sure that they are enforcing appropriately across the two markets.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Adam Perry, Resolution No. 2024-85, a Resolution Directing the Office of Cannabis Management to Issue for Public Comment Certain Proposed Cannabis Packaging, Labeling, Marketing and Advertising Regulations, was approved unanimously.

- Patrick McKeage, Chief Operating Officer for OCM, Tabatha Robinson, Director of Economic Development, Policy and Research for OCM, Daniel Haughney, Director of Enforcement for OCM, and John Kagia, Senior Director of Policy for OCM, provided the following OCM report.

- License Review Update

- There are currently 162 CAURD with final licenses, 152 adult-use retail dispensaries, 220 provisionally approved retail dispensaries, 136 microbusinesses, 138 cultivators, 92 processors and 94 distributors.

- Equity Update

- Fifty-three percent of the adult-use licenses across the supply chain are SEE owned.

- NYS Cannabis Tax Revenue Fund – A portion of the tax that consumers pay when they purchase cannabis from dispensaries will be split as follows: 20% for drug treatment and public education, 40% for education and 40% for the Community Grants Reinvestment Fund (CGRF), grants to



## Office of Cannabis Management

- non-profit and community-based organizations in communities disproportionately impacted by cannabis prohibitions and other social equity initiatives as determined by the Cannabis Advisory Board (CAB).
- CGRF Request for Application (RFA) Year 1 – The aim of this grant cycle is to create equitable, positive, and lasting impacts on individuals, families, and communities by supporting 501(c)3 organizations and community programs with wraparound services and youth support. The first round of the CGRF will focus on programs that support priority initiatives provided by the CAB. Applicants must serve youth ages 0-24 years old through three program areas: Mental Health, Housing and Workforce Development. The total available funding for year 1 awards is \$5,000,000. The CAB will award grants of \$100,000 each. The Office is also assisting with outreach efforts, including the “Grant Readiness 101” campaign and webpage.
- Cannabis Hub and Incubator Program (CHIP) Academy is a training and education initiative run by the SEE Team. From March through May, the Office held over 40 sessions with about 250 participating licensees. Topics included compliance overview, regulations overview, Cannabis Business Accounting and Capital Raise, GMPs, Track and Trace, Environmental Controls, and Sustainability. All sessions are available to watch on demand. A full listing of webinar topics and instructors is available to licensees upon request by emailing [SEE@ocm.ny.gov](mailto:SEE@ocm.ny.gov).
- Medical Cannabis Update
  - Medical Cannabis Symposium
    - September 20<sup>th</sup> in Buffalo.
    - Centered on gathering insights from researchers and existing practitioners.
    - Training new practitioners.
  - Reducing the medical excise tax
  - Improving patient access
    - Unserved and underserved areas of the state.
    - Registered Organization (RO) expansion.
- Enforcement Update
  - The State’s commitment to shutting down unlicensed cannabis storefronts has driven significant revenue growth for legal retailers. Downstate stores have seen a 50% revenue increase since enforcement actions began.
  - Over 320 inspections have resulted in seizure of over 4,800 pounds of cannabis products.
  - OCM’s Intergovernmental Affairs team, in coordination with the Office of General Counsel, have conducted several briefings over the past couple of weeks for NYC elected officials and Community Boards.
- Market Update
  - New York has sold over \$420 million in legal cannabis.



## Office of Cannabis Management

- June sales jumped to \$71 million, bringing the 2024 year-to-date total to \$260.4 million.
  - Quarter 2 sales surged to \$160 million as enforcement actions lifted sales.
  - There are 143 legal adult-use retail dispensaries open in New York.
- Adult-Use Application Review Update
  - The Office is prioritizing the review of the November queue and is reviewing applications in the order of the queue.
  - To date, the Office has started the review of up to number 1,306 in the queue review order.
  - 862 dispensary locations are currently receiving proximity protection.
- Chair Wright asked are all of the CHIP courses available on demand currently.
- Tabatha Robinson stated that all of these sessions are recorded and are housed within the agency.
- Board Member Adam Perry asked that when you are giving a percentage of women-owned businesses, is that coterminous with women of color, they are all listed in that percentage.
- Tabatha Robinson stated that those are as of right now all independent categories, and currently don't have the technological capacity to allow applicants to exist in multiple categories.
- Board Member Adam Perry stated that as a matter of history, the first Chair of the NYS Assembly's Committee on minority and women-owned businesses was appointed when she first arrived in the Legislature, is also one of the co-sponsors of MRTA. He stated that this is a Buffalo born kind of a thing and they have a very intense interest in having an understanding all the data, so that is something they will want to follow up on.
- Board Member Adam Perry asked if anyone could attend the September event on medical cannabis.
- Tabatha Robinson stated that it is at this current moment not available to the broader public and they are really trying to keep this a conversation for those who are already in the field and are experts in their respective research fields and are practitioner fields, but that is something that they can expose, or they can explore in the future.
- Board Member Adam Perry asked how fast they have processed some applications, not all applications.
- Patrick McKeage stated that they are averaging around 115 per month, able to get through to a recommended approval, every month that's kind of a high-level average. He stated that as they work down the queue, they are averaging about 60-days once an application has been opened to going through the review process, each application is different.
- Board Member Adam Perry stated that that information cannot be correct, and that he has heard that everything has been a disaster and that nobody can get any information.
- Patrick McKeage stated that that is his recollection what the average is.
- Board Member Adam Perry stated that he believes that you are correct, and it has just been his professional nature to ask questions in a skeptical manner even if he knows, and he just wonders why some people have this impression that it is just like a nightmare, you are not granting any licenses and that it takes forever.





## Office of Cannabis Management

- Board Member Adam Perry asked what is the current staff headcount and the total target headcount, how many employees do they believe they should have to address concerns that have been expressed by the public and others, what is the number they currently have, what is the target number, how many new employees have been hired in May through the present, how many employees have departed from May to the present, and what is the plan for retention, especially recruitment as well of employees.
- Patrick McKeage stated that the total headcount is 180 and that they will follow up with the rest of that.
- Board Member Adam Perry asked what the status of their Chief Diversity Officer (CDO) is.
- Chair Wright stated that the person who is currently hired to fulfill that role is on administrative leave and until that matter is resolved that person holds that position.
- Board Member Adam Perry asked is there a reason why it is taking this long to address the issue of having a CDO in place, either the one that is currently on leave or whatever is going to happen, and he does not understand the problem.
- Patrick McKeage stated that they are not in charge of the investigation, and it is kind of outside of their hands.
- Board Member Adam Perry asked who is.
- Chair Wright stated the internal investigations team, and it is not the Office, nor the Board, and they are not apprised of the ongoing investigation because it is an ongoing investigation.
- Board Member Jennifer Gilbert Jenkins asked how applicants will be selected from the pool of applicants that they get for the grant process.
- Tabatha Robinson stated that they are waiting on finalization from the CAB as regards to the criteria.
- Board Member Jennifer Gilbert Jenkins stated that as she has said, she thinks in every board meeting for the past four months, here in Morrisville, they have one stoplight, they have three cannabis stores, all of which are illegal, and anything that they can hear about enforcement that is being targeted upstate or outside of the city would be really helpful here.
- Daniel Haughney stated that they have teams that are operational in New York City every week and then they have teams that are operational upstate every week, they rotate those teams around.
- Board Member Adam Perry asked is OCM charged with the primary duty of enforcement against illegal stores by the statute.
- Daniel Haughney stated that he views it with the authority that it is in the statute, it certainly gives OCM the authority to take action on unlicensed illicit shops. He stated that he thinks that as a regulatory agency everyone looks to them as the primary enforcement tool to be able to go to that task.
- Board Member Adam Perry asked how many sworn enforcement personnel they have at OCM right now.
- Daniel Haughney stated that they have 20 sworn and quite a few that is coming on board now and are in the background process for hiring as well.
- Board Member Adam Perry asked compared to the NYS Department of Taxation of Finance (DTF) or the NYS Liquor Authority (SLA), do they have any idea of how many sworn personnel they have.



## Office of Cannabis Management

- Daniel Haughney stated that he believes there are about 150 to 200 and he is not 100% certain on that and for the SLA, he believes they are under 100. He stated that he is not obviously the expert in those two agencies but when they are fully staffed at OCM, he is hoping to have them kind of right in the middle between SLA and DTF.
  - Board Member Adam Perry asked what they can tell people about what they should do when they say, I can't get a hold of OCM.
  - Chair Wright asked would you be able to share the telephone number for OCM, as well as the appropriate email addresses that people should be contacting if they need to update applications or get in touch with Enforcement.
  - Daniel Haughney stated that on the OCM website, cannabis.ny.gov, at the top of the screen and also under the enforcement page, there is a tab to report an incident and that the email address to get into the Enforcement Division for the public is complaints@ocm.ny.gov.
  - Patrick McKeage stated that the general email if you are a licensee or applicant is AULicensing@ocm.ny.gov and the phone number is 1-888-OCM-5151.
  - Board Member Adam Perry asked how many licenses they expect will be presented to the Board for approval at the August meeting.
  - John Kagia stated that he would have to get back to him on that one and they have been doing about 120 per board meeting and that is their sustained pace, and he would expect them to be within that range as they go into the August meeting.
  - Board Member Adam Perry asked do they expect that about the same pace for the September meeting, which they hope is in Buffalo.
  - John Kagia stated that he does not want to speak prematurely about their expectations for September quite yet, because they are going through quite a lot of changes to try and drive greater efficiency in operations.
  - Board Member Adam Perry stated that he has never seen the tsunami, the tidal wave of litigation that has been faced by the OCM, which has impacted, impeded and delayed their work and asked is that still impacting the work as they go about building a sustainable market.
  - John Kagia stated that he would like to defer that one to their general counsel.
  - Board Member Jessica Garcia asked to elaborate a little bit more about how they attribute the increase in revenues to enforcement versus the fact that they now have more open stores.
  - John Kagia stated that they did a couple of things to try and normalize to account for that. He stated that one, they limited their analysis of the change in revenue to operators who have been open for at least twelve weeks and two, they also looked for outliers.
  - Board Member Jessica Garcia asked when they expect to be able to get an analysis of how they are doing with that November queue and how to proceed going forward with the remainder of the applications.
  - John Kagia stated that that work is still ongoing because they still have quite a few applications to process from the November queue and it is still a little bit premature to determine the strategy that they are going to implement for the December queue.
- 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 should only be related to specific agenda items. Public Comments are listed in Appendix A.



## Office of Cannabis Management

- Acting Executive Director Felicia A. B. Reid stated that she appreciates hearing all of your comments, all of the issues that they are raising, and her directory is to be very responsive to folks. She stated that she knows that when it comes to community, an agency cannot do better without understanding its community and getting feedback from folks. She stated that she really appreciates your attendance here today, especially as the location moved, and knows that was a bit of a logistical challenge for some people, but she wanted to let you know that when it comes to cannabis, when it comes to the industry, she very, very much care deeply, especially with her experience in juvenile justice about the equity piece, the diversity piece, the inclusion piece, and the access piece, those things are not separate to this business and this industry. She stated that she wanted to let you know, and to reassure you to some extent to this is helpful, but that is always going to be her focus in the core of the agency's mission.
  - Board Member Adam Perry stated that he wanted to make clear since perhaps his first or second meeting, he has always said that the OCM and the CCB can do better and that none of his comments should be taken as him saying that everything is great and that there are no problems. He stated that many of the criticisms that they receive are well founded and need to be addressed, that is what public service is all about, but they cannot ignore the context, and they need to look, and everyone needs to look at the actual data and be fair and compare the results to other actual examples. He stated that the concerns that he raised where they have certain people making these comprehensive, gross criticisms without being fair about looking at the realities, the challenges, and the reasonable comparisons in state service, so that is the point that he has tried to make.
- The CCB adjourned the meeting.



**Appendix A**

**NYS Cannabis Control Board 7/10/2024 Meeting – Public Comment**

	First Name	Last Name	Organization (If Applicable)	Public Comment
1.	Hugo	Rivas	Long Island Cannabis Association	How you doing. My name is Hugo Rivas. I'm representing the Long Island Cannabis Association. Thank you to everyone here for the work and everything they're doing. I'm here to talk to you guys about and kind of remind you that you guys have forgotten about Long Island. There's no support out there. We've put in a lot of work. There's no support. We've been reaching out to some of the higher ups in OCM, people that are working with OCM. A lot of promises and no communication. Every time we have a meeting, it's like, we do this, we do that. The last meeting, we had almost three months already and no word back. Hey, we're going to do this or that, anything. Please just make sure that you guys are reaching out to Long Island, because there's a lot of people stuck that like ready to go can't go because of the regulation. Holy Buds, they're ready to go, Simple Delivery System, can't go. We need your help out there. We need the opinion letters. I hear you guys are going to be doing that. Long Island has the most opinion letters out there. Out of the 50, the 50 are probably Long Island. We need the opinion letters to show up. We need those opinion letters. We need them yesterday. We've been asking for over a year already and no word back. Hopefully, this gets resolved soon. Finally, the CAURDS. The CAURDS from day one we were promised this and that. The CAURDS need help. We need help. Thank you.
2.	David	Hooper	munchies dispensary ny llc	Good afternoon, My name is David Hooper. I spoke at the last board meeting. Last week I received an email stating that an update had been issued to me via certified mail. And yesterday I received a follow up email stating that my matter was still being considered. I still have not received that certified letter, but I was given a tracking number and as of yesterday it was in Nashville, Tennessee. I don't know if that was why I received the additional consideration email. As you can see, I am not a great public speaker, but I am here to put a face to the email address. Since my virtual inspection, I have paid over \$80,000 in rent and not been issued the license today means another first of the month will pass and another rent payment will be needed. The application may say David Hooper, but it is really David Hooper and family. My



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				family has pulled together to financially assist in building our dispensary. Even in a dream enough to pull together a line of credit from a family home to avoid the issues with DASNY at the time. I signed a ten-year lease when I was instructed to build OCM in order to get my license faster. We did just that. Every step of the way, I have followed the instructions I was given by OCM staff. The changing of information as for the delay pf my license is alarming. Now, to think after being made to take on all of the financial burden and the possibility of not being issued a license is unimaginable. I hope seeing me here again today helps OCM see me as a human being, not just an email address. Thank you.
3.	Robert	Griffiths		Thank you, Madam Chair. I'm a permanently disabled veteran. One of the registered organizations in New York. Columbia Care is one of the only ten registered organizations in the state of New York that's not represented by the local 388. In August, me and my colleagues began to organize. We had an election in October that we voted yes. August/October of last year Columbia Care did nothing but attack us and scare us. They've closed their Manhattan location. They closed the Rochester location. They reduced my Brooklyn location to two days a week, both to 6:00pm. We can barely service the customers. It's only me and one other person, the Pharmacist. Last weekend I was ill and I was unable to make work. They were unable to open. I think this is a travesty because the patients of this community are not being served. Aside from the campaign labor actions they've taken, they continue to wholesale their product to adult use retail spots. You know, that does not seem right to me. I just want to make sure that the board is clear on with Columbia Care doing business as the cannabis is currently doing to their employees in the community. Thank you.
4.	Abdul	Hamid	Canna Buddha LLC	My name is Abdul Hamid. I am the owner of CannaBuddha LLC. Our application was submitted by Kenneth Strategy LLC OCM license number, OCM retail 20232001623. It was from the November queue. Part of the represented by Andrew Cooper and Karen Cooper from Nelson Rappaport and Bachman LLC. We have satisfied all deficiencies, as confirmed by Sara H from OCM. Our application has been sitting with Enforcement Unit, as confirmed by Sarah for the past four months. We have attended countless times to obtain an update through telephone email. We are incurring monthly rent expenses as well as legal costs while we wait to hear from



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				the enforcement department. My question to OCM today is, why is your enforcement department taking so long to answer email or phone calls? If there is anything needed, we can cure those deficiencies. Thank you.
5.	Belayet	Hossain		Good afternoon, (Inaudible speaker). Thank you.
6.	Rodney	McKenzie		I stand before you today with immense gratitude and appreciation for this valuable work that you guys do. The dedication in ensuring the highest standards of professionalism for this market since its inception, I can say that I'm very proud. I would also like to say I like the fact that you guys uphold the public trust and safety and you're doing a great job. Thank you.
7.	Bernard	Jenkins		I'm trying to find out a date. (Inaudible speaker)
8.	Bryan	McKenzie	CBJ Retail	Good morning. Good afternoon. CBJ Retail in Brooklyn. I've just been trying to get my license for some time now, quite a few people with me. I am currently stuck in the review. I'm just wondering what you guys actually do. Why does it take three, four months to get a background check. Other than that I'm paying rent just like everyone else is. I would just like some answers. Thank you for your time. Have a good day.
9.	Carlo	Muraco		Carlo Muraco. Famous Arcade, Bad Mary Jane, and we're working on opening up our location in Manhattan. I want to say, you know, there's a lot of problems. I'd like to say OCM's doing a great job trying to navigate all these issues in this new industry. But what we really need is to have a line of communication, because I have a lot of questions and I can't get them answered. I do speak to some people in the OCM that we have contacts with but they are stuck in answers because they can't make any decisions or make any moves. So what I would like to ask is that OCM puts people like me, I'm a CAURD holder. We have someone that can actually answer our answers and so we can come up with things to do. I have a lot of colleagues, they're holding down properties. They're paying rent months and months. We're all small businesspeople. They're not big companies. We need help. We can't hold down a ten a \$12,000 rent. It's impossible. Please, OCM you're doing a great job, but let's get our little guys open. Alright.
10.	Annette	Fernandez		My name is Annette Fernandez, and I am the managing partner at an agency and a license applicant in the December queue provisional. Here's to the board for reacting to feedback and packaging and marketing guidelines that were revenue inhibiting to small business owners, thank you. You should continue with that trajectory on social equity. From the inception of the



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>program, activists in New York have pointed to two issues lack of access to capital and real estate. This inhibits the goal of 50% of the market being comprised of social equity outcomes. Lately, even more visible, Governor Hochul is intervening and using enforcement as a carrot to the market and that is not enough. There are so major issues around funding, supporting equitable outcomes, and managing the market as a whole. With the store closures, we may be creating a demand that the supply chain may be overwhelmed by this summer. We should also hold the fort on this market being for New Yorkers and built by New Yorkers working together in a business ecosystem to make the market a success. This would be the antidote to corporate greed and conglomerates and the North Star the MRTA writers envisioned. I'm grateful to Board Member Perry for asking about the Chief Equity Officer Damian Fagon's role. Whatever the outcome is, it is incredibly detrimental that the office and interim director have not at least made an interim appointment. After all, equity is at the heart of the MRTA, the laws in reparations to communities and individuals who are most harmed. To that end, I would like to make one last point. Fast tracking the November queue and setting aside the December provisional queue is a blow for equity. The November queue is highly capitalized as site control, leaving less opportunity for those who aren't. We know that corporations are dying for this round of approvals, so they can use their machines to consolidate an unstable and nascent market. Thank you.</p>
11.	Jason	Stowell	Excelsior Genetics, LLC	<p>Hey. Good afternoon, everyone. Thank you for this opportunity. My name is Jason Stowell. I'm the Founder of Excelsior Genetics LLC. I was a participant in the inaugural Cannabis Compliance Training and Mentorship program known as CCTM that the state was very proud to put together about two years ago now. I came down to Morrisville today since they were a big supporter of the program and we had our meet up here a year ago where we got to all connect and talk about what it meant to be supported by the state and being groomed to enter this new regulated market. Since the program ended I feel that CCTM participants have been pretty much left in the shadows with little communication about their status and the so-called super candidates and priority candidates that we were called. So, myself, Excelsior Genetics, we have had our municipality opinion letter sent in. We have our permits done. We're in the December queue. We would like to have a mechanism to</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				have our locations and business applications reviewed if we have all of our compliance in. Thank you.
12.	David	Nicponski	Freshly Baked LLC	<p>Members of the CCB, and OCM thank you for the opportunity to speak to you once more. I'm David Nicponski, I'm the operator of Freshly Baked LLC right here in the Bronx. I come to have lunch in the area and swing by. First, I want to extend a public shout out to Senator Rivera and his staff for their incredible support, helping us to guide enforcement actions against illegal shops operating in our dispensary area right up the street here in the Bronx including to padlocked two locations within five blocks of where we are. That's pretty incredible. It's really more work to be done with the initial progress of padlocking these shops, is already visible and appreciated by the around us. Second, thank you OCM to for making progress on CAURD applications again. These applicants have been stuck in limbo for nearly eleven months and counting. These individuals did not deserve the uncertainty in your efforts to move things forward or positive stuff that is highly welcomed by the community and highly appreciated. Third, licensees also appreciate the CCB moving forward with proposed changes to PMLA regulations. While these changes may or may not be perfect, they were a huge step forward in enabling us to compete against the massively widespread operation of illegal shops. Through these changes, we can let the public know that we exist and that we are legal and economically competitive in ways that illegal shops along, in addition to their economic penalties of not having to face the cannabis taxes makes material business real impact on the viability of our businesses. Thank you. I don't believe we've heard any answer to board member Perry's question about projection of the total number of retail licenses. The community obviously cares deeply about this, and we would like an answer to that question. I can perhaps address his comment about why people are complaining about the review process if it only takes sixty days. Note that it was said sixty days from the time the application was opened by the OCM. Based on John Kagia's figure there being roughly 150 applications for months. Given that there were 4,000 applications submitted would take twenty-five months to open them all. The average applicant is going to wait over a year. The review process could take five minutes, but you have to wait for your feedback. Thank you.</p>





# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
13.	Dora	Belle	My Belle Ventures LLC	Hi. So I just want to say thank you for all the information today. I've just been trying to piece together all the slides. I'm a tax accountant by trade. I also used to be a hemp farmer I had to give up my license in order to apply in New York State, industry of North Carolina. I just want to say that last meeting there was a slide about the ROD saying that they had the biggest market share. My question is, has there been any thought on how micro business will succeed in this market, given that the RODs have such a huge head start it makes me nervous to continue to pursue a cultivation house. Currently, right now, the only information I'm even giving is retail information, but no information regarding cultivation. What is happening for them? Is there's some kind of free license that can be given for cultivation houses, so we can at least start applying for permits, signing leases, buying equipment, working with architects. It takes nine to twelve months for a space to be outfitted. It also takes some time for New York to approve the location. It also takes time for a business building owner to actually approve a cannabis location. I'd like to just see more data for cultivators. Thank you.
14.	LaShawn	Williams	The QueenOfBudz	Hi, my name is LaShawn Williams. I am the founder of Queen Buds. I am actually launching the Dukes and Dutchess of cannabis because we have the home grown. And I'm like her, I want to know what's going on with as far as cultivation. Right now, after we leave here, I'll be launching my online program and I have a Queen of Buds app where everyone can grow at home, and I also have after I leave here, I have to sign my contract with the wholesale seed company to provide New Yorkers with seeds to cultivate. I need to know what's going on with Cultivation. I got certified in New Jersey to cultivate for vending machines. I have a contract that is going to give me vending machines. I need to know the rules and regulations regarding vending machines. Thank you.
15.	Kate	Hruby	Kjh strategy	Thank you, Madam Chair. First of all, I wanted to thank the Chair of the Board and the Office for you know, I know the PLMA that's been the subject of contention with licensees for a while. I think the changes, particularly when it comes to the audience percentage of adults. You know, the 90% was very hard to calculate. We didn't even know where to get it from. I said, get demographic data from if somebody has a radio station, they maybe have demographic data. Maybe they don't. A lot of like other types of events that licensees could be engaging in in their communities, giving back to their community through



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>sponsorships. You know, they were hesitant to do it because we didn't know how we'd be able to meet this threshold and the sensitivity to signifies that. The discounting thing. The rights that allow licensees to offer such discounts as long as they're not otherwise violating any undue influence requirements. We could relate it to the tier system. I commend the office for all of that beforehand. I think the conversation that we've had about processes there's not a direct comparison with the SLA. We're doing something very different here with the law of prioritization. Cannabis also is highly stigmatized. There are security concerns. There is various issues that I don't think are here. I think progress is being made. I think certain things also we need to look at improving as well in terms of communication with licensees regarding locations and things like that. A lot of my CAURD licensees that are in a provisional state right now, you know, they've had a lot of changes go on in the last couple of months. I don't think that we can. You know, there's a baby in this room. I don't think we can forget that some people have been given a provisional license a year and a half ago and to put them all with the same pile just basically The Hunger Games of competing for locations. It's kind of crappy, especially since they have to maintain 51% of the license. So, anyway, thank you so much.</p>
16.	Willa	Smiley	WELLNESS OPTIONS RESOURC ES TRANSFOR M HEALTH,C ORP (WORTH0	<p>Good afternoon. My name is Willa Smiley. I am a nurse. I would like to focus on the ones that are getting ready to open up their business. Number one, I was in school and I've done my research. Now, I'm Dr. Smiley. I want to say, the ones that want yo open up your business you don't want to leave the educational part behind. In my research, what I found out, my focus was nurse practitioners who are in private practice. The focus was patient outcomes. Of course, we found out that most people are overusing. One of the demographics that I was really looking at, because New York said that the baby boomers are one of the biggest consumers. They didn't participate in the study. And one of the reasons we came up with is probably they're not going to go to private practitioners. I'm saying that to say that the seniors I want to ensure that this information education gets into their hands. So I am here. I want to partner. The focus is like this information, this information which is really good. How does it get into the hands of the seniors who are using it and who need it the most. I would love to partner with you guys. My company is Wellness Options Resources. I have a few</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				papers. I'd love to contact with you. Also, to the board I didn't know about the symposium. I definitely would love to work with the symposium. Thank you.
17.	Kevin	Pollard	Upstate Pines	<p>Good afternoon, everyone. Upstate Pines Red Hook, New York, up in the Hudson Valley. We're still like a lot of people still waiting for our license. Patiently waiting. At this point, I don't know kind of losing a bit of hope. Tomorrow, I'm picking up a new vehicle, delivering cannabis. I'm scratching my head, trying to figure out how I'm going to make the payment. If I didn't have partners, I would have no store because I can't pay the rent. Like the guy from Manhattan just said rent is due. Rent is due. Rents is due. At this point in time, my pockets are empty. All I can afford is White Castle today. That's it. I might be going to your store to take you up on your offer of lunch. It seems to be a good neighborhood for food. That's what our status is. We really could lose our licenses. We have a lot of customers up there with money. Lots of money. I know the state is looking for some tax money. Have a great summer. We'll have a bottle of champagne here next month. Thank you.</p>
18.	Orlando	Bispo	Pasitheia Corp	<p>I was able to speak with John back on February 28 regarding a microbusiness license, the provision with the 25-mile stipulation, is there any way that we can bring the map back of New York or upstate? There's no endemic clause in this state. Just like champagne is special for the Champagne Region. Parmigiano-Reggiano is special for being from the Parmesan Region. In California, they have the Appalachian clause. My studies found that in the Adirondack Mountains as well as in the Catskills the solar departments there are very rich in nitrogen, potassium, it's important. We need to have these endemic laws to give special tax exemptions for microbusinesses, my beliefs anyways, and by removing this 25-mile stipulation could allow me to open up my store front, which is where I was born, and have my farm upstate. I also just need some clarification. If you look at the micro business information, it says and or all. This is very confusing to me. I speak to lawyers. They cannot give me a direct answer. This is really important that that area and region be looked into. If you can communicate this office with this office they have the information that you guys need for real estate for these things. It's a part of their collecting data. It would be helpful if both the OCM division were able to communicate effectively so that we can speed up this process. That's what I wanted to go back to. There's something like 9,500 applications that needs to about 800 to be</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				processed, which I know it sounds crazy. I can ask the Governor. I don't know. I mean, there's a lot of money in this state. There's no reason. Just in my opinion. Thank you for your time. I look forward to seeing you again. Thank you.
19.	Tazz	Alam		When will you guys start hiring a competent team to go through the applications? The first head of OCM was already fired by Hochul, the new head person doesn't seem any better. You guys taking all this time to sort through the applications is allowing the black market shops to thrive. All these updates yet nothing about the licenses. From wasting millions trying to create a program that sorts the applications to the constant delays in licensure, to the civil lawsuits, it really seems you guys may need to revamp the entire department.
20.	Sami	Abdelazim		Hi I'm a a Ny state hemp retail license holder and small business owner, I'm wondering if the Cannabis board has any plans to save the hemp retail industry that was destroyed by the new hemp regulations that made the ratio 1:15 which no products exist that weak we want to know if they can bring it back to 1:1 ratio since it's harmless and only helps the citizens and the state economy plus 46 other states still allow it so citizens of NY are just ordering it online from out of state vendors so our businesses are destroyed and closing and money that could stay in Ny is flowing out so it's bad for the NY economy. Would they consider making a small 5% hemp THC tax that could make the state money and save our small businesses and allow us to sell 1:1 ratio hemp products again?
21.	James (Jim)	Charon	Northern Lights Buds LLC	With many businesses from the November queue still waiting for a response from OCM for several months regarding their applications are there any immediate plans to expedite the process or at least respond to unanswered emails?
22.	Zilka	Saunders		A couple fo months ago, the Governor talked about a \$5 mil fund for claims of applicants who lost money securing control over premises for priority consideration that was not actually given. Where are we with that?!
23.	Wallace	Meres		As you have likely discovered cannabis is a complex plant. New discoveries are constantly be made and clinical trials abound. Many chronic conditions are helped with medical marijuana. Unfortunately due to state restrictions on strain identification and absence of whole flower relief was not nearly as good as it could be. Organic marijuana is



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>important to many. Most large corporate grown marijuana use chemical fertilizers and pesticides. Home growers can grow Healthy organic crops of strains that are best for their individual conditions.</p> <p>Marijuana strains are very different. Finding the perfect strain takes effort and resources. Medical marijuana is cost prohibitive for most it is also medical and should not be taxed.</p> <p>Home Cultivation Limits:  Mature plants, grown indoors, in flower takes 2-4 months to mature. Yields vary widely. A low yield means another 2-4 months for your next 3 to mature. Even with a fairly high yield 3 plants would not provide sufficient medicine to last 3 months. Pests can also significantly affect production particularly with inexperienced home growers. A home grower that finds optimal results with 3 different strains would only be able grow 1 of each strain. Most indoor plants yield 1-2 ounces. Not nearly enough to last 3 months.</p> <p>Outdoor growers have a large yield potential and could provide pounds and could also be wiped out by one storm or batch of mold. In recent years most home gardeners lost their tomato crops to a fungus. This is the reality of growing outside. Outside growers have one season and will have to wait a full year for another crop.</p> <p>I am particularly concerned for veterans who may not have the resources for dispensary marijuana. Home growers can target the best strains for PTSD, pain, anxiety etc. it can also give veterans a sense of accomplishment when the grow successfully. Suicide among veterans is rampant and growing marijuana is time consuming and rewarding. Programs providing growing equipment to low income patients and veterans would be a step in the right direction.</p> <p>There should be no restrictions on the number of seedlings and at least 12 per patient mature plants.</p> <p><b>RESTRICTIONS ON SEED AND CLONE PURCHASE</b>  The best strains are not developed by commercial growers. They breed and grow for uniformity and productivity. There are many small growers who have developed superior strains for various conditions. There should be no restrictions on where medical patients can obtain seeds and clones.</p> <p><b>MEDICAL VS. ADULT USE</b>  Today Curaleaf has 62 Adult use flower offerings as opposed to 17 Medical offerings. Medical users instead of being prioritized have been deprioritized. This appears to</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>be the case with most joint Adult use/medical dispensaries.</p> <p>START TREATING MEDICAL PATIENTS WITH MEDICAL ISSUES LIKE ANY OTHER MEDICAL TREATMENT AND MEDICATION. WE ARE PATIENTS NOT CRIMINALS. REMOVE ALL OF THE RESTRICTIONS.</p> <ul style="list-style-type: none"> <li>- <input type="checkbox"/> Expand number of plants allowed for medical patients to 12 or more with no household limit</li> <li>- <input type="checkbox"/> Allow medical patients to purchase products from Adult use dispensary with appropriate discounts and no tax.</li> </ul>
24.	Hamid	Ardebili		<p>With all due respect OCM lack Transparency and this has brought lots of heartache to applicants and ruined lots of life by setting forth rules that brought pain and suffering to applicants that been waiting for answers and no one taking responsibility and accountability. It's been almost 8 month since the first discrepancy letter was send out with no real date in sight for applicants who are paying rent on a location with NO income.</p>
25.	Yaakini	Crews	Smaakkd	<p>When can we expect the licensing applications for brands to open up?</p>
26.	Dora	Belle	My Belle Ventures LLC	<p>I understand the Governor has asked for only Round 1 applicants to be reviewed. Round 2 will not start until Round 1 is complete (initial review stage complete). What is the plan for Round 2 to prepare for the time that has now been missed for the Round 2 applicants? I am applying to be a micro business. While I love that NY has granted us this type of option, I truly believe OCM wants to set the Residents up for success but it will take me 9-12 months to set up my cultivation house. I will be one of the little guys. Has there been consideration for the small cultivation houses? I can't even look for a property right now to lease bc it may not be available when I am licensed. I am just sitting on my hands. And I was also licensed to grow hemp in NC and I missed the NY window to apply. But there's also been no consideration for that either.</p>
27.	DELAURNA	MURPHY	ROYAL BLEND DISPENSARY	<p>IMORTANT TO CREATE A SPECIFIC SINAGE FOR ALL RETAIL DISPENSARY FOR PUBLIC RECOGNITION TO HELP DEMINISH ILLEGAL DISPENSARIES AND TO ASSIST LAWFENFORCEMENT TOWARDS CLOSING OF ILLEGAL SHOPS. FOR EXAMPLE: "LEGAL CANNABIS DISPENSARY"</p>
28.	David	Taveras	CB ENTERPRISES LLC	<p>Where are we with the Retail December Que? And if OCM is not up to the Retail December Que what is an estimate time frame they expect to reach out? What email address</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				or phone number are they reaching out from? Have they hired any new staff yet?
29.	Armando	Crescenzi	420 Canna Core	<p>My Entity was selected from the December 18, 2023 applicants. I have found a viable location. I would like to secure it now for proximity priority protection.</p> <p>Is there way for applicants like us [those who did not have a location in November 2023 - but have a location now] to amend our application and be added to the November 2023 queue?</p> <p>Everyday we wait we are losing territory and viable locations. Also, there are several duplicates on the November 2023 queue and there are several non-responders. It is not fair to make us wait such a protracted time.</p>
30.	Hugo	Rivas	Long Island Cannabis Coalition	When will Long Island Start to receive support from OCM and CBB ?
31.	Alexandria	Alcala	Dizzpensary	<p>When the general applications were announced - we expected 500-1000 retail dispensary licenses to be distributed to provisional and non-provisional applicants. We were made completely aware that it was a lottery-style system. According to the FAQ, it was likely not everyone that applied would receive a license. Once queued, non-provisional applicants low on the queue effectively bullied the OCM into approving more than promulgated in the FAQ, letting more than what we understood would be 500 max non-provisional licenses- directly diminishing the opportunity for provisional applicants that were likely not resourced/capitalized enough to apply for a non-provisional. I am totally heartbroken for groups and individuals that likely had their opportunity taken from them by non-provisionals. I am asking that in fairness - the Board exercise what they wrote in the FAQs, stop giving non-provisionals, and give the provisional queue the same exact amount of licenses as the non-provisionals.</p>
32.	Manpreet	Singh	TBD	<p>I am interested in opening a retail dispensary in the State of New York.</p> <ol style="list-style-type: none"> <li>1. What is the process in doing so?</li> <li>2. Are applications only open to applicants with a prior conviction?</li> <li>3. What are the prerequisites and upcoming application deadlines?</li> <li>4. Can you apply for more than one license?</li> </ol>
33.	Thomas J.	Gallo III	Blue Stone Farm	When will you be reopening applications for outdoor marijuana cultivation?



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
34.	Kristine	DeMarco	Greenleaf Cannabis LLC	I want to speak, as I am a microbusiness, a farmer, 1 st female AUCC22-000025, I have microbusiness, MICE24-000069 in Manhattan and as a farmer you are treating me like a CAURD. I meet the 7 provision criteria, I need you to approve my retail. Will submit community board letter, letter proving 7 criteria for the board to grant retail. It is impossible to find a building to do all elements of microbusiness, need my retail approved immediately. My space is 950 feet from a CAURD you approved at a location which had 2 illegal shops. Microbusiness is not a CAURD. Us farmers made this all possible when you asked us to grow for NYState. I had the 1st farmers market, HKCC, and I am 1 of the 1st microbusiness in NYC, I need retail or I will go bankrupt. Do you want the 1st female cultivator whom was one of 300+ farmer who made this possible to fail? You can follow the guidelines for microbusiness the 7 provision I pass all 7 , see submitted letter from my attorney. The Board has the ability to grant me my retail and I need to open ASAP. Kristine DeMarco Greenleaf Cannabis LLC
35.	Aamir	W		Hi, I am landlord and my tenant was involved in this illegal activity and the property was padlocked. I have come to terms with the tenant to cancel the lease and get him out of there. Who do I reach out to as the landlord to remove the padlocks so I can potentially lease the space to someone else.
36.	Laura	Labriola	Bezo Enterprises, LLC	When will the nursery license be available for farmers? When will the next round of Adult Use Licenses be open for application?
37.	John	Reinus	The Highline Cannabis, LLC	I am writing on behalf of my company, The Highline Cannabis, LLC, Applicant Number OCMRETL-2023-000500 to make a public record of concerns about the proximity protection map. As of writing this comment, my company's location is being blocked by another applicant (JayLenny, LLC, Applicant Number OCMRETL-2023-001293) who has received proximity protection. However JayLenny, LLC's proximity protected location IS NOT ZONED FOR RETAIL. In addition, I have been informed by the municipality's building inspector that he was contacted by JayLenny, LLC and told that they are seeking a different location. Clearly, JayLenny, LLC cannot operate a dispensary out of its proposed location, nor does JayLenny, LLC appear interested in doing so. There are several relevant points of law and policy





# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>dictating this issue:            The General Licensing Application FAQ, Pages 39-40, Question/Response 92 states that an applicant must “demonstrate progress towards beginning operations at the proposed premises” within 20 business days of receiving proximity protection to retain said protection. Not only has JayLenny, LLC failed to make any such progress, it is actively seeking an alternative location.</p> <p>Under Section 120 of the Cannabis Regulations, the OCM may only process complete applications. In order for OCM to process JayLenny, LLC's application, it must be complete, including a certificate of occupancy demonstrating compliance with all local building codes; if it was not included in the original application, JayLenny, LLC has only 30 days to provide it. Obtaining the various approvals required to rezone would take many months, possibly over a year, if it were allowed at all; a compliant C/O cannot be produced in 30 days.</p> <p>Under Section 120 of the Cannabis Regulations, the CCB may only license an applicant who is “ready, willing and able to properly carry on the activities set forth in the application.” JayLenny, LLC as absolutely not ready, willing and able to carry out retail cannabis sales at its proposed location.</p> <p>I respectfully request that the CCB and OCM address this proximity protection issue promptly, so that my company's application will not be unduly delayed or prejudiced when our queue number (1826) is reached.</p> <p>Best,            John Reinus, Esq.            CEO/General Counsel            The Highline Cannabis, LLC</p>
38.	Virtual1	Cultivator	ORCC	<p>It is imperative that conditional applicants to maintain certain equity structures. The department is unable to make minor changes on ownership due to a flaw or special circumstances being required by the technical support team. Would the Department elevate this programming to allow changes where only a TPI is added or deleted?</p>
39.	Crissy	G		<p>As a concerned New Yorker and someone who works for an agency dedicated to educating the public on the very real harms of today’s high potency marijuana products, I wanted to submit comment about my concerns regarding the problems with NY’s marijuana “program.”</p> <p>While the Governor continues to focus on the rampant issues facing the legal marijuana industry in New York, and attempting to create an equitable legal market, there</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>is too little focus on the potential harms associated with today's high-potency marijuana products, especially their impact on youth and young adult mental health. As you may know, more than 20,000 peer-reviewed research articles have linked marijuana use to adverse mental health outcomes, ranging from depression to psychosis, as well as consequences for physical health and even negative outcomes for neonates exposed in utero. The connections between marijuana use and negative consequences for mental and physical health, among other risks, are often lost-or ignored in conversations surrounding legalization.</p> <p>The percentage of 12–17-year-olds in NY that believe there is great risk associated with smoking marijuana once a month decreased from 24.83% in 2018-2019 to 19.35% in 2021-2022. In both NYC and rural areas, school personnel report increases in teens coming to school high. In fact, upstate New York poison control centers report that Cannabis-related poison control calls are on the rise in NY. Nearly 700 cases involving cannabis products were handled by the Upstate New York Poison Center last year alone, with most calls pertaining to children under the age of six consuming edible cannabis products.</p> <p>This is a problem because today's high potency products are different from the weed of the past. As Dr. Yasmin Hurd, director of the Addiction Institute at Mount Sinai Hospital stated, "today's marijuana is no longer cannabis. It's not the same drug. It used to be 2% to 4% THC. We have kids getting 70% to 80% to 90% THC." This fact is completely lost on young people today and parents who may have consumed marijuana 30 years ago. According to SAMHSA, at least 1 in 6 young people who try marijuana before the age of 18 will become addicted to it. Tetrahydrocannabinol (THC), the euphoria-inducing cannabinoid in marijuana, is toxic to the adolescent brain, which is not fully developed until at least 25 years old. The most recent studies point to evidence linking marijuana to an increased risk of mental health disorders, including schizophrenia, anxiety and depression, particularly in adolescence. A study, led by researchers from the University of Toronto, found an 11 times higher risk of developing a psychotic disorder among teenagers who used marijuana compared with those who did not use it. I am greatly concerned about the industry's marketing tactics targeting youth and I am concerned about the proximity and density of dispensaries to schools and houses of worship.</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>New York’s OCM and the Cannabis Control Board must acknowledge and address the impact marijuana legalization has on youth mental and physical health and prioritize their well-being when working to regulate the adult-use legal market. I ask that you continue to enforce the regulations to eliminate the unlicensed/illegal market; prioritize effective prevention education, especially in school-age children and other vulnerable populations including pregnant and breastfeeding women; and prohibit advertisements aimed at young people, including advertisements on social media, print media, billboards, TV, radio, podcasts, and other digital media. Most importantly, I ask that you enforce policies that prohibit establishments from being within 200 feet of a place of worship or 500 feet of a school.</p> <p>New York must address the concerns of New Yorkers, and address the very real harms of marijuana use. I encourage you to support and recommend policies that protect youth and other vulnerable populations and put health and safety above industry profits.</p>
40.	Kate	Karczewski		<p>I am coming to OCM Cannabis Control Board as a medical cannabis patient with concerns regarding many RO's and their transition into adult use. The guidelines state that RO's must prioritize their medical patients and their needs and ensure that products are available to them. Some companies are removing products from the medical menus and making them available only on adult-use menus which puts patients who have been using the products for many years in the position of having to pay adult-use prices for their medicine. Additionally, some companies are removing certain types of products entirely without considering that some patients no longer have alternatives. They meet the current criteria of having all ratios available but not all patients can use the same methods of administration. ROs are supposed to be submitting community impact plans along with their applications, I think it is important to be aware that RO companies are already making decisions with their products that negatively impact the medical cannabis community as a way to expand their brand in the adult-use market. ROs should not be in the adult-use market if they cannot maintain their medical business needs. Cannabis is medicine for some people. In the case of all other healthcare, there are rules and regulations put in place regarding access to care for patients, and cannabis should not be treated any differently.</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
41.	Jacob	Levinson		Our business is currently zoned on the OCM map and is pending final approval. We received initial approval in February and have since remained in the queue. Like many other applicants, we are incurring significant costs, including rent for a site we are unable to utilize. We have had to secure mortgages and loans from friends and family to cover these expenses. In our particular case, there seems to have been a cure notice that was overlooked, and we have sent several emails to the provided addresses on the OCM website regarding the status of our application. Unfortunately, we have yet to receive any response. Aside from visiting the OCM office in person, is there any alternative to solicit a prompt reply?
42.	Adam	G	We Grow NYC Inc.	With personal, home cultivation now legal, how will NY residents without access to space be able to grow? Specifically, can community members grow cannabis within community gardens?
43.	Robert	Luciano	Veteran Warriors Of WNY LLC	100% Disabled Veteran Pending License Applicant
44.	Ron	Donofrio	HVP&S Inc	Hi - Thank you and I would like to know when our Dec Que , Micro Biz, (we are on the list) might be able to hear if our Micro Biz Application will be reviewed and if any deficiencies and we are of course...patiently waiting - but a bit frustrated - haven't heard a thing since the Dec Que was announced. Nada - Thank you!
45.	Hugo	Rivas	Long Island Cannabis Coalition	In person
46.	Roger	Elliott		Extend Canterra Cannabis delivery license! You will affect over 10,000 people negatively if you don't! This has become a public service akin to Meals on Wheels, people are shut ins and Canterra brings their relief and happiness! It is not Canterra's fault that their dispensary isn't ready yet! It was politics and would appreciate this not becoming political.....
47.	Steve	Menta	1212 farms	I am an owner operator trying to get a micro business license. A lot has changed for me in the time since I applied to now and there is no way to update my license. I now own property for where my business would work and I would also want to switch to a see applicant because when I initially filed I didn't know you could apply that way. I would like the opportunity to update my application and also wondering why we haven't heard any response on



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				licensing of micro business but MSO KEEP GETTING APPROVED . Thank you Steve Menta 1212 farms
48.	Ras. Rudolph	Crossdale	RasTafari I Holistic's Corp.	<p>My children and family members are ready to assist with the micro business. It's ironic because they were so young and seen the injustices happening around them (cops in our home/business) now these fifteen children are adults with children of their own.</p> <p>My team.</p> <p>We're seeking a location, but the Questions is dad, when will you receive your licenses ? Dad we're willing to do what is necessary. Not that funds are tight and we need to know how soon can we open for business ?</p> <p>My True Party of Interest has always been my children and now they are my TPI in business ...</p> <p>This is an opportunity to make a difference in the lives of so many...</p> <p>Question dad, what if we spend the funds for the location and you don't receive it from OCM ...</p> <p>There's so much doubt that OCM will be able to fulfill their mission before Big \$Corp comes in to takes over before the one that suffered from those Draconian policies, rules and laws ever enter the market place.</p> <p>Please don't allow this to happen.</p> <p>One Perfect Love</p> <p>Ras Crossdale</p>
49.	Garrett	Hoekstra		<p>Hello, I'd like to comment about the licensing and how we can work to keep it open and allow for extensions and renewals to be done easily and accurately. We have a delivery service that could possibly be shut down due to the OCM not giving an extension to their temporary license after stating there would be that option when the time came. People of the state that don't have access to drive or transportation rely on this delivery service to get their orders and also to those who are not yet comfortable with going into a dispensary. These people cannot be denied access to their medicine over an extension to a license that shouldn't be hard to create! We need to work together and better on this situation to allow more dispensaries and businesses to stay open, keep jobs flowing and keep the residents of NY state satisfied! We cannot allow people to loose their jobs. We cannot allow people to loose access to their cannabis! Thank you</p>
50.	Abdul	Hamid	Canna Buddha LLC	<p>My name is Abdul Hamid, owner of Canna Buddha LLC. Our application was submitted by Cann Strategy LLC, OCM license number OCMRETL-2023-001623. It was from the November queue and further represented by</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>Andrew Cooper and Terran Cooper from Falcon Rappaport &amp; Berkman LLP.</p> <p>We have satisfied all deficiencies, as confirmed by Sarah H from OCM. Our application has been sitting with the enforcement unit, as confirmed by Sarah H, for the past four months. We have attempted countless times to obtain any update through telephone and email. We are incurring monthly expenses as well as legal costs while we wait to hear from the enforcement department. My question to the New York state governor Kathy Hochul and the President of OCM is:</p> <p>Why is your enforcement department so inefficient in responding to any emails or inquiries? How long does it take for them to respond? and what exactly are they looking for ?</p> <p>So we can satisfy those deficiencies?</p>
51.	Patrick	English	Dana Distributors Inc.	<p>My distributor application has been under review for 12 business days since June 21st and I have yet to receive any communication.</p> <p>Your office's email on May 22nd below states, "Applicants who submitted during the recent licensing application period will be contacted by the Office regarding their application when it is reviewed".</p> <p>My application (ID: OCMDIST-2023-000037) was submitted 10/12/2023</p> <p>As of today's meeting you have issued 78 distributor licenses while I sit at #60 on your queue.</p> <p>How are distributor licenses with application ID's from 2024 being issued today prior to the applications from 2023 on the December queue?</p>
52.	Ashley	McCray	Honey Pot Treats	<p>What are our banking resources as a cannabis company in NY? Who are other companies using to house their money</p>
53.	Josepe	Harvest	BK Sprouts	<p>Where can we find up to date information on Provisional Licenses, and who has been granted them to date?</p>
54.	Alessandra	Slayton	Heaven Holding Inc.	<p>Hello! My name is Alessandra Slayton and I am one of the TPIs for applicant Heaven Holding Inc., Application #: OCMPROC-2023-000532. Our cure window just opened, and we are very excited! Thank you for your efforts in getting this done! A few comments and some related questions: When we submitted the application as a Type 3 licensee we were told that we did not need to have a location because Type 3 licensees are licensing out branding and trade secrets to Type 1 and 2 processors who have locations. We do not ever plan on having our own location, and are hoping that we can apply with a "placeholder" location until we enter into a contract with a</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				Type 1 or 2 licensee, which will be after we receive our license. Additionally, a change in our business strategy means we are no longer using a DBA name, can we remove that? Would doing so remove it from our TPI entity disclosure? Lastly, we'd like to know if the 30-day window is a finite deadline. As in, if there are still deficiencies, will we get another opportunity to cure? Thank you!
55.	Alexis	Martinez	Gods children	I am a community mom and would love to reach out to mothers having an issue with there kids. Mothers that don't know there kid is gang banging wake up parents that have an issue with there daughters cuz I'm close to mine parents that are not put to be accountable for what there kids do to there home there community. For all my email is alexismartinez20097@gmail.com blessings. What can I do so we can all be on the same page.
56.	Alexis	Martinez	Mother and daughter	Sorry for before my comment to cannabis is a medicine for my child that has no cartilage
57.	Victor	Marte		Will like to make requests regarding the process of getting approved and ensuring a closer complete progress in finding a location for the business. The request is to have and reach an agreement with all of these landlords from the illicit marijuana stores to then make that location available for people that have applied and have a license pending for review. Most of these shops may have equipment, or might have a set up close to how a legal shop may be, also necessary supplies on site for the business. There can be an incentive for the illegal owners as well as the landlords, to get things going. Maybe reduce, or subside bills, fines and other concerns that needs to be addressed. Like the removal of Strong odor of marijuana and keep a steady flow of air circulation with its surroundings. Another request is for the branding. The brands that have permission to bring their business to Ny and OCM needs to make an incentive grant to get these companies to pick up a handful of applicants. To assist them with a fund to get their brand established and ready. Along with assistance in showing or teaching what is known from them for applicants to make their brand. Is already good that they are from out of state doing business here with their brand and making a lot of money from it. Why not roll out this grant to incentivize these companies to back up the applicants and help them build a fully prepared brand, with providing knowledgeable experience when doing business, starting it and to make sure to watch out for certain situations and avoid negative productivity. One other request is for the applicants, when



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				they reach a provisional license and need to find a location. Can the applicants do some of the business from home until they get a location . This will help out by establishing relationships and letting the community know that my Marijuana Business is going to be opening up in the neighborhood. Also will help establish a relationship with the service, history with sales and potential repeating purchases or clients. Grants applications for a variety of different things for a cannabis business will be great for everyone, I dont see how or who loses. I hope everything keeps going well with what the office is doing. Thank you all for the hard work that is being put in involving getting NY cannabis Business ready. Helping one another is good, cmon New York.
58.	Daniel	Castellanos	OSJ Rx	<p>My question is regarding the "Medical Cannabis Research License" which is out of scope for today, but part of the advisory board's regulatory powers nonetheless. A Cannabis Services account manager had unsuccessfully attempted to address my questions on my Research License application from October 2023. Our medical research to collect microdosing schedules is part of our FDA Clinical Trials. We received IRB approval from CUNY to begin Phase 1 - Dr. Banks at BCC is the P.I. listed on our research license application. Phase 2 onward is for Human Clinical trials for which an answer is needed urgently because the train has left the station. Our trials will also benefit Adult Use dispensaries because our medical-grade patent MDI-P device for titrating microdoses of botanical cannabis for dry herb inhalation is safe and beneficial to both registered medical patients, and wellness adult users.</p> <p>May we please have someone who can help remedy the delay for this needed research license that will help with both the medical cannabis industry and with the adult-use markets?</p> <p>As a Certified MBE and CUNY Alumnus, it is equally important for me to provide a student pipeline as a business and alumnus contributing to Gov. Hochul's CUNY/SUNY Cannabis curriculum initiative. Our combination therapy clinical trial research is for botanical cannabis that addresses cannabis use disorder using PK/PD modeling for monitoring cognitive and executive functions in mental health &amp; pain management.</p>
59.	Eric	Callmann		I just heard someone comment that licenses are reviewed and approved in 60 days. As an October applicant it is now about 9 months since I've applied and still no news. Think this is more than 60 days. What is the OCM doing





# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				to more quickly review the existing applications or will the OCM cancel applicants at some point?
60.	Mayank	Kapoor	DANKLEY LLC	I'm an applicant in the November Queue. I completed all my deficiencies in April, finished background check in Mid-June, and then was told to keep a look out for the upcoming list of license approvals on 7/10 (today). I also had a person named Steve from Licensing email me last week asking me for a copy of my Lease which I sent him, he then told me he needed to confirm with a Supervisor. He's been confirming for a few days now and I have no answer of what this supervisor said. By him asking me for an updated lease (which weirdly I was told did not need to be signed) and me speaking to my landlord - now my landlord is on high alert and wants to know if I ever will be getting a license and as for an updated lease he refused until I show him my license. I do NOT want to argue with my landlord and jeopardize my location which was finally added to the proximity map on 7/2. I need my license so I can get the ball rolling and setup a proper timeline for everything else that needs to be done. Can someone PLEASE let me know when to expect this approval or just approve it already! If there's nothing more needed then what is the hold up? Please let me know.
61.	William	Hills		I am very excited to see the progress and things moving in the right direction, However, I find it disturbing that an attorney would take advantage of the meeting the way her did with his own agenda. His disrespect for the chair and the rest of the board was disgusting. While his points were valid for the most part, he railroaded this meeting and constantly went off topic. May I suggest an old business section of the meeting for topics not covered by the chair. A new business section for bringing new topics to the board. While I encourage the board to bring new and unmentioned topics, it needs to be done correctly. I expect more from a leading attorney and OCM Board member to follow proper Parliamentary Procedure. Brushing up on Roberts Rules of Order is needed by all board members. I also feel the need to remind board members, even though you are not at the actual meeting and attending remotely you are still being watched and your actions and conversations (even though muted) can be seen by everyone and I find that disrespectful to the Chair and the public. Professionalism is the utmost importance in these high profile public meetings. Thank you for your time and I look forward to the up coming changes. Keep up the hard work, it is being recognized in the public.



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
62.	Thomas	Ballistrea Jr.	Cannabaceae LLC	<p>My name is Thomas Ballistrea Jr., I'm a graduate of the CCTM program and founder as well as CEO of Cannabaceae LLC. I'm submitting this public comment here today to first and foremost extend my gratitude to all the individuals at the board and at the office for their diligence in this tumultuous and transitional time in our journey, thank you for holding the line and for your continued efforts to create an equitable Cannabis industry.</p> <p>I would humbly ask the board to consider amending Article 4 section 120.3 paragraph c subdivision 1 to include a combination option for indoor and outdoor cultivation to allow microbusinesses to compete in the adult use Cannabis 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 at a large scale.</p> <p>I would also like to interject that the regulations in general have missed a key point to allow small businesses to proliferate. In my opinion, the regulations should adopt an at scale component, as found in other regulations such as NYSDOL laws, that compels license holders to be compliant with certain aspects of the regulations based on the size of the operation and/or the number of employees that a business has. One example of this can be found in; Article 4 section 125.2 paragraph b subdivision vi, by mandating such robust workforce training requirements for businesses that are single member owner operators with no employees the regulations are posing an undue burden on small businesses, especially given that there is little support for Cannabis related businesses to develop and implement such requirements.</p> <p>While these and other regulations are vital to ensuring employee safety and lowering the risk of negatively impacting our environment, the size and scale of a business should be considered when drafting and enforcing such regulations as to not raise barriers to entry for economically challenged individuals. The OCM and CCB as well as the CAB in my opinion need to explore similar regulatory bodies and subsequent statutory requirements, regulations and guidance documents to determine fair requirements that allow small businesses to thrive and enforce the rules and regulations that allow for economically viable businesses based on the size and scope of a given business. The outcome of overregulation is in direct conflict with the premise of the MRTA and the</p>



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				result of overregulation will only allow large well-funded companies to operate in a compliant manner. (continued in secondary comment due to character restrictions on submission form)
63.	Thomas	Ballistrea Jr.	Cannabaceae LLC	<p>My name is Thomas Ballistrea Jr., I'm a graduate of the CCTM program and founder as well as CEO of Cannabaceae LLC, this comment is a continuation of my first comment to the board due to character restrictions on this form submission.</p> <p>Furthermore, incentives for nascent Cannabis related businesses must be offered by the New York state to allow Cannabis related business to operate in a well-regulated industry such as those that have been instituted in other Cannabis markets such as Colorado in their CROP program and California that established a Qualified Cultivator Grant Program. These incentives should provide resources and working capital to establish infrastructure in a manner that is compliant and ensures that the development of these businesses has a minimal negative impact on our environment while establishing a safe working environment for individuals. The time to enact these incentive programs is now, individuals are being subject to predatory practices due to the lack of adequate funding for Cannabis businesses and/or are unable to operate due to the barriers to entry that a well-regulated industry present. Please consider instituting programs that provide capital by way of, grants, loans and tax incentives for Cannabis related business to allow for individuals to establish economically viable infrastructures.</p> <p>Thank you for your continued support for our community and thank you for carrying the burden of establishing and equitable Cannabis industry in New York state, I hope that the office and the board will consider these recommendations when establishing future programs and regulations.</p>
64.	CoCoir Shannell	The CannaCoach	The Dukes & Dutchess Of Cannabis brought to you by The QueenOfBudz	I enjoyed the meeting. I have an online Class I Just Launched. What Are Rules & Regulations on Vending Machines? Should I Contact Moynihan Train Hall? I was hospitalized in 2022. I am an eligible CUARD recipient. When will you guys open the application window up again? LaShawn Williams 929-312-3247