



# 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>	August 6, 2024 at 10:30 AM
<b>Location:</b>	CUNY School of Law, 2 Court Square, Long Island City, NY 11101, 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>	Jessica Garcia
<b>Board Members Present (virtually):</b>	Jennifer Gilbert Jenkins, Adam W. Perry
<b>Board Members Absent:</b>	Hope Knight
<b>Others Present:</b>	Linda Baldwin, John Kagia, Patrick McKeage, Felicia A. B. Reid, Tabatha Robinson

## Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from July 10, 2024 Board Meeting
- IV. Consideration of Adult-Use Applications for Approval
- V. Consideration of Cannabis Control Board By-Laws
- VI. Consideration of Proposed Regulations for Public Convenience and Advantage
- VII. Consideration of Cannabis Research Application for Licensure
- VIII. Office of Cannabis Management Report
- IX. Public Comment
- X. Adjourn



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## Action Items

<b>Resolution No. 2024-86:</b>	Resolution to Issue Certain Adult-Use Cannabis Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2024-87:</b>	Resolution to Adopt By-Laws of the Cannabis Control Board.	Passed, Unanimous Vote
<b>Resolution No. 2024-88:</b>	Resolution Directing the Office of Cannabis Management to File for Proposed Rulemaking Certain Adult-Use Cannabis Licensing Regulations.	Passed, Unanimous Vote
<b>Resolution No. 2024-89:</b>	Resolution to Issue Certain Cannabis Research Licenses.	Passed, Unanimous Vote

## Notes & Comments

- Chair Wright stated that currently, New York State (NYS) is experiencing a robust growing season, which is crucial for maintaining a steady supply chain and meeting the increasing consumer demands. She stated that their market continues to exhibit strong growth, their sale figures have been impressive, and it reflects the general growth of their industry. She noted that retail sales in June alone were up to \$71 million. She stated that they have reached a significant milestone with 156 licensed dispensaries now open across the state and that this provides greater access to legal and safer cannabis products for all New Yorkers. She further stated that additionally, while the Marijuana Regulation and Taxation Act (MRTA) outlines a 50% licensing goal for Social and Economic Equity (SEE), they are proud to have exceeded that goal, ensuring that their industry remains inclusive and equitable.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Jennifer Gilbert Jenkins, the Minutes of the July 10, 2024 Cannabis Control Board (“CCB” or the “Board”) Meeting were approved unanimously.
- Patrick McKeage, Chief Operating Officer for the Office of Cannabis Management (“OCM” or the “Office”), provided an overview of Resolution No. 2024-86, a Resolution to Issue Certain Adult-Use Cannabis Licenses. Before the Board today is the seventh cohort of adult-use cannabis licenses which have cleared the multistep review process and are being recommended from the Office to be approved by the Board. These applications are from the application window that opened on October 4, 2023 and closed for all license types on December 18, 2023. The 86 applicants include 22 retail dispensaries, 16 microbusinesses, 19 cultivators, 11 distributors and 18 processors. In addition, the Office is in the process of issuing an additional 15 provisional retail dispensary licenses. If approved, this will make 841 adult-use cannabis licenses approved in 2024.
- OCM is continuing to make progress on reviewing the November queue and transitioning the conditional cultivators and processors to full licensure. To date, the Office has started the review of up to number 1,407 in the queue review order for the November queue. There are approximately 600 applications in the November queue that need to have their review started. For the December queue, which primarily makes up supply side licensees and also the provisional licensees for microbusinesses and retail dispensary applicants, the Office is



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prioritizing the review of the conditional cultivators and conditional processors that are transitioning to full licensure since that conditional program ended in June 2024, and everyone had to apply for transition by May 3rd.

- The number of December queue licenses to be issued will be subject to the CCB as discussed at the May 10<sup>th</sup> Board meeting. A guidance document outlining this, is also available on the OCM website. The number of licenses to be issued will be subject to supply and demand and market factors to try and balance the two-tier market, which they have where there is supply side licenses that manufacture and create the products and then the retail licenses, which similar to alcohol, standalone only do sales of final products. That harmony is something that they are looking to keep in balance and as more licenses continue to open and more people continue to receive a license, they will have more data to better understand what that happy medium is in terms of how many licenses the NYS market needs to have in order to be successful and not be oversaturated or undersaturated in any of the tiers.
- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Jessica Garcia, Resolution No. 2024-86, 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. 2024-87, a Resolution to Adopt By-Laws of the Cannabis Control Board. Article II of the NYS Cannabis Law establishes the CCB and Section 10(14) Cannabis Law vests broad authority in the Board. The CCB By-Laws would establish the parameters under which the CCB executes its powers, details how the Board is organized and administered, and establish criteria to oversee:
  - Board appointments, removals, suspensions, and vacancies.
  - Meetings of the Board, minutes, video conferencing, and notice of meetings.
  - Quorum, voting, and exercise of powers.
  - Role of the Chair and members.
  - Committees.
  - Conflicts of interest, ethics and transparency.
- Board Member Adam Perry stated that Article II, Section 2.4 and .5, appear to simply, at least .4 appears to recite the statute, but then .5 appears to be based on the statute is something that is new. He stated that he believes that it is adding an unnecessary provision, if it is provided for by the statute, the statute controls, the board is not permitted to take action that is at variance or contrary to the statute. He further stated that he supports the by-laws and thank counsel and staff for preparing them, but there is only one issue that he has, and he will vote for the by-laws if they amend to strike those two sections that he referenced, and that the rest is fine but with those two sections, he votes against.
- Chair Wright asked Board Member Adam Perry if he was talking about Removal and Vacancies and the Suspension of a Member.
- Board Member Adam Perry commented that is correct and it is not like where they needed to put this in by-laws so that there would be some power of the Governor or board members. He stated that if it is a power provided by the statute in such an extraordinary circumstance,



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then the Board can do it, they do not need to have by-laws to do that, but to the extent there is any variance between the by-laws or the statute or its additional power, it simply creates confusion and a potential for litigation and he does not think it is a big deal at all just to say they approve the by-laws absent those sections, and that he will vote for.

- Board Member Jessica Garcia stated that she would appreciate hearing from General Counsel on the rationale for these two classes because they would help her decision.
- General Counsel Linda Baldwin stated that she does not intend to share advice of counsel, just an explanation of these two sections that might be helpful. She stated that there are many provisions in these by-laws that repeat the statute, and they are there in the by-laws for completeness of process and to strike a provision that talks about removals and vacancies, even if it is reflecting the statute, kind of leaves out an important part of what happens on boards and that is just a repeat of the statute. She further stated that the comment that Board Member Perry made about suspension of a member being additional to the statute, that is correct, and the Board can determine what it wants to do with regard to that provision.
- Board Member Jessica Garcia stated that she is comfortable moving the by-laws with Section 2.4 in it because she does not think it is saying anything new and she is also comfortable removing Section 2.5 in order for them to deliberate on that at a later time and move the by-laws without that section.
- Board Member Adam Perry stated that he concurs with that if that is the solution that is acceptable to the majority of members, he will go along with that.
- Board Member Jennifer Gilbert Jenkins stated that sounds reasonable to her.
- Chair Wright stated yes, they can do that. She stated that let them amend the resolution, and the resolution will now be to Consider Resolution No. 2024-87, Consideration of Cannabis Control Board By-laws, striking the paragraph Section 2.5 Suspension of a Member.
- Upon a motion from Board Member Jessica Garcia, and a second from Board Member Adam Perry, an amended Resolution No. 2024-87, a Resolution to Adopt By-Laws of the Cannabis Control Board, was approved unanimously.

- John Kagia, Senior Director of Policy for OCM, provided an overview on the proposed regulations for Public Convenience and Advantage. The proposed regulations for Public Convenience and Advantage are designed to provide a more comprehensive and flexible evaluation process for licensing decisions, potentially allowing more nuanced consideration of factors beyond strict distance requirements as was previously the limitation in the initial version of these provisions. As New York's cannabis industry continues to grow and evolve, new licenses are issued and further enforcement action is taken, the Office and Board will need to ensure there are additional criteria that can be set to allow for the evaluation of additional requests for public convenience and advantage based on the latest regulatory factors.
  - Stakeholder engagement on the criteria for consideration of requests for public convenience and advantage:
    - The Office is in the process of developing guidance to establish the criteria under which to consider requests for public convenience and advantage.



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- The Office will be seeking input from the Cannabis Advisory Board (CAB) members and members of the public on the criteria that such requests should be considered under.
  - Upon a motion from Board Member Adam Perry, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2024-88, a Resolution Directing the Office of Cannabis Management to File for Proposed Rulemaking Certain Adult-Use Cannabis Licensing Regulations, was approved unanimously.
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- Patrick McKeage, Chief Operating Officer for OCM, provided an overview of Resolution No. 2024-89, a Resolution to Issue Certain Cannabis Research Licenses. Pursuant to Section 38 of the Cannabis Law, the Board has the authority to approve and license individuals interested in conducting research with cannabis and cannabis related products. Cannabis research licensees may produce, process, purchase and/or possess cannabis for research purposes. This opens the door to conduct more intentional scientific studies that will expand the understanding of the cannabis plant. The following individual has applied to OCM to be a cannabis research licensee:
    - OCM-RSCHAPP-24-0002 (Bloomfield, NY)
  - The Office has reviewed this application for project quality, study design, value, and impact and believes the applicant has the appropriate expertise and infrastructure to successfully perform the proposed research.
  - Upon a motion from Board Member Jessica Garcia, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2024-89, a Resolution to Issue Certain Cannabis Research Licenses, was approved unanimously.
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- Patrick McKeage, Chief Operating Officer for OCM, Tabatha Robinson, Director of Economic Development, Policy and Research for OCM, and John Kagia, Senior Director of Policy for OCM, provided the following OCM report.
    - Social and Economic Equity Update
      - To date, 53% of the adult-use licenses across the supply chain are SEE owned. The breakdown includes 37% Minority-Owned Business, 41% Women-Owned Business, 9% Service-Disabled Veteran-Owned Business (SDV), 9% Distressed Farmer, and 4% Communities Disproportionately Impacted (CDI).
      - OCM has partnered with Our Academy to bring Conditional Adult-Use Retail Dispensary (CAURD) and SEE Retail licensees a free accelerator program. This program will launch on August 8th.
        - Eligibility: CAURDs and SEE Retail Adult-Use Licensees. Eligible SEE licensees must fill out the enrollment form to sign up.
        - Resources include live weekly and recorded online courses every Tuesday, a Pro forma, weekly office hours and technical assistance every Thursday, and peer-to-peer support.
    - Enforcement Update



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- 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.
- Since its launch, the Cannabis Enforcement Task Force has conducted over 500 inspections, padlocked over 230 locations across NYS, and seized over 6,000 pounds of illicit cannabis products. Additionally, the new legislation signed by the Governor earlier this year gave sealing authority to New York City's Sheriffs, and this authority has led to the closure of more than 1,000 locations just in the city and the boroughs alone.
- 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.
- Downstate retailer revenues have doubled since the Enforcement Task Force launched. Licensees in Manhattan, Brooklyn, Bronx, Queens and Staten Island collectively saw over \$3.8 million in revenue growth in the 11 weeks since the Task Force and city enforcement actions began.
- Market Update
  - New York has sold over \$492 million in legal cannabis.
  - July matched June's momentum with nearly \$70 million in sales, bringing the 2024 year-to-date total to \$331.9 million.
  - Quarter 2 sales surged to \$160 million as enforcement actions lifted sales.
  - There are 156 legal adult-use retail dispensaries open in New York.
- Adult-Use Application Review Update – November Queue
  - 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 1,407 in the queue review order.
  - Currently, 918 dispensary locations are receiving proximity protection.
  - If your application is coming up, be on the lookout for an email from the Office outlining any deficiencies. Ensure all your True Parties of Interest (TPI) have submitted their disclosures and have been fingerprinted.
  - Please note, each application is different, and the length of the review time will vary from application to application depending on the complexity of review, factors discovered through background checks and responsiveness of the applicant.
- Board Member Adam Perry asked what the total number of licenses is for all types issued to date. He asked what the projection of annual revenue is when the market is fully licensed to the extent that you can predict that. He then asked is there any way to express how the OCM and the CCB and the equity in this market compares to other markets and are their markets more equitable, less equitable, and is there a way to express a comparison.
- John Kagia stated that in terms of equity, he does not actually think it is possible to compare the performance of their equity stakeholder participants in this market relative to other markets. He stated that one of the things that he thinks New York did that is fundamentally





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different than any other jurisdiction is that they began the engagement with the entire state with communities across the state before the application window opened. He stated that they did dozens of public engagement tours, both virtually and in-person and as a result of that, it led a lot of communities who may not necessarily have been aware that legal cannabis was an opportunity, to realize that they would be able to have a seat at this table. He stated that 70% of their applicants came from social equity groups, women and minority-owned businesses, distressed farmers, service-disabled veterans, or people who were from communities disproportionately impacted by inequitable cannabis prohibition and that no other state has seen that level of social equity stakeholder, distribution in their applicant pool. He stated that as they look out to the next handful of years, they already know based on some of the consumer analysis work that has been done, that consumers in New York are currently spending roughly \$5 billion on unregulated cannabis in the state as it is and they fully expect that the legal market, once fully optimized, will be capturing at least that level of demand. He stated that he would fully expect that as New York's legal market grows, a \$5 billion outlook over the next handful of years is a reasonable estimate. He further stated that they have issued roughly 1,200 licenses, including the licenses from the November cohort, which includes the adult use conditional cultivators and conditional processors that have transitioned, plus an additional 460 CAURD licenses from the original cohort, for roughly 1,600 licenses issued since the beginning of this program.

- 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.
- The CCB adjourned the meeting.



**Appendix A**

**NYS Cannabis Control Board 8/6/2024 Meeting – Public Comment**

	First Name	Last Name	Organization (If Applicable)	Public Comment
1.	Leanne	Anderson		<p>Thank you. Hello, OCM Board members. My name is Leanne Anderson like you just said. I am an SEE woman owned, licensed cannabis distributor, license number OCM DIST 24-00021. The reason I'm speaking today is because I need the board's help. I'm in dire need of a location change and at the mercy of the OCM. I've requested since May to compliance and licensing, a change of address. I've emailed and called weekly since May. I continue to be told there's no process to amend my location address, and there's also no time frame when it will be available. Again, my business is at the mercy of the OCM to change my location. Before receiving my license, during the application process, I was asked, I asked licensing for compliance guidance. I was informed I would not receive any until I was licensed. Once licensed, I did receive a compliance packet. I quickly realized I needed a larger, more secure, safe space for distribution. Immediately, I emailed compliance and licensing. The response continues to be we have no guidance or process. I submitted the new location address, my coordinates, my lease and certificate of occupancy from my requested location. Licensing has told me no more information is needed at this time. Since my emails and calls I have not been added to three OCM agendas now. I have many cultivators who did not apply for distribution, who need my services to move their cannabis. They are also being put into a tough situation with no distribution and at the mercy of the OCM. I do not know what else I can do or provide. I reached out to my state Senate office, Senator Rob Ortts' office has been in communication for me trying to get this resolved. They are receiving the same response, there is no process. OCM board members, please give guidance to licensing so I can begin my operations as distribution. I'm not open to the public. Please help me change this address. Again, I'm at the mercy of the OCM, this decision. I'm licensed and full compliance, paying for a lease, space, vehicles, insurance and more. It's causing a hardship. Help me get</p>





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	First Name	Last Name	Organization (If Applicable)	Public Comment
				this address changed so I can be operational today. This is costing me my business a ton of money. Thank you. Leanne Anderson. License distributor OCM DIST2400021.
2.	Jennifer	Modica	Organic Jade Growers	Hi, I'm Jennifer Modica. My sister and I have our micro business license. Thank you very much with all your help through SEE. We are a SEE applicant as well. Your PLMA regulations state that we can't use the term organic on our licenses, but our business name is Organic Jade Growers and we're growing our cannabis on our organic farm, in our organic soil in western New York. So I just feel like I'm in a I can't seem to get an answer to this question. Can we use our business name on our label? But how do I get the question answered?
3.	Khadijah	Peek		Good morning. My name is Khadijah Peek and I am an SEE applicant. I'm wondering what the process is for applicants whose numbers have been skipped. We're at 1392, and as we heard today, we're up to 1407. Our SEE eligibility certification was approved back in May, and we've had no movement on our application since then. We've emailed the OCM to ask about the process, and we're told that if our application has submitted, then it hasn't been assigned to a reviewer. And it's now August and we haven't seen any movement. We've reached out to our assembly members, our senators offices, our Congress members offices, and we can't really get an answer as to what the process is and we want to ensure our application isn't lost in the void. We've been in a contract for the sale of land for about two years with an option to an extend. So we've been, you know, bleeding money when it comes to these contracts, agreements with architects, licensed architects, lawyers, engineers, general contractors. We're, you know, it's a small business because it hasn't been started yet. It's my sister, a mutual friend and myself. And the process isn't inexpensive, and we were told that this process was supposed to be more affordable for small businesses, especially MWBE. So we're just trying to like we just would like an answer as to you no when will even see any movement on the review of our application. Thank you.
4.	Hugo	Rivas	Long Island Cannabis Coalition	Hello, Hugo Rivas, representing Long Island Cannabis Coalition. Again, thank you for the work that you guys have been doing. Appreciate it. Although you started issuing opinion letters last meeting, I've only noticed these letters being issued to adult use licenses. CAURD



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	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>licensees have been waiting for opinion letters for a year and a half, and to date, no one from Long Island has received them, Long Island especially. Right? Also want to talk about the thousand feet reduction that you guys are looking to do, we think it, is not correct. We keep hearing about the situation. We wrote a letter with CANY. It's concerning you. These illicit shops right now, all over the place. They are taking away the business from the licensees. Now you want to put other licensees right next to them. It doesn't make any sense. Please look at that. With the Biotrac, the Biotrac, this is coming out soon. The system itself, right, it's complicated. A lot of people don't know how to use it. You guys are only given a short term of period in order to learn how to use the system. We're please asking to make sure that, asking if you could please extend that time. Let's look at the POS for example. The system with the POS people to date that have been operating for over a year are having issues with the system, and yet you expect people to learn that the Biotrac system in 30 days, it's not fair. Please look into that as well. And lastly, as we all know, New York retailers are struggling to raise investment capital. The CCB can easily increase the supply of capital by amending section 123.9 J to limit ownership restriction to only persons to control in New York supply side cannabis business. This will open up the ability of New York retailers to take investments from the people who are most interested and have experience in cannabis, without undermining the protection against undue influence that are already in the regulations. The CCB does this, it will promote the goal of establishing a large group of multi-generational family and social equity owned, small business retail businesses. And thank you.</p>
5.	Kamel	Jamal	463 station, inc	<p>Hello. My retail number is OCM Retail 2023 001132. Some facts that I have is our address is 463 Main Street in Beacon, New York. In September we ran the Cannabis Grower Showcase and were received number two in sales. We were in November queue and number 574. We received proximity protection. Then we were moved from the proximity map. We received our provisional license and we submitted for our public convenience. Thank you for that. We received the welcome packet, and six days later, after we started doing the work on that, we received the email saying that the welcome packet</p>



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				<p>came in error. Based on today's meeting, it looks promising to us, but it also brings me on how much longer it's going to take before our convenience is addressed. We had the city reach out and do their due diligence, as well as Assembly members reach out on our behalf. So the question I have is when can we get answers so we can proceed? We're at a point where our company is no longer in black. We're in the red, and as each day passes, it's going to be harder and harder and harder to get this whole industry that we're trying to pioneer on the ground. So I'm asking for action when it comes to this new, public convenience. Thank you.</p>
6.	Bob	Ponce		<p>OCM, reboot was supposed to be a renovation, not a gut rehab, but Acting Executive Director Felicia Reid began her tenure by firing OCM's Chief of Staff and Chief Diversity Officer. No explanation. No announcement. Shortly thereafter, four key staff members resigned, Director of Health and Safety, Deputy Director for Licensing, the General Counsel and First Deputy General Counsel all have left or are leaving, and more resignations may be on the way. In experience and institutional knowledge lost is huge. Nicole Rosa was the person most responsible for the safety of New York cannabis, as well as the person who was working for state cannabis at DOH before OCM was formed. And amid all the lawsuits, OCM's top attorneys are leaving. Meanwhile, OCM is operating without a chief equity officer for months. This is a statutorily required position that has been ignored since March due to an IG investigation into Damian Fagon, based on verifiably false allegations made against him, and not having the chief executive officer to advise or review changes in licensing or forward potential new initiatives runs counter to the letter and spirit of MRTA. Yet no attempt was made to assign an interim equity chief equity officer. The investigation that should be proceeding is the one called for by State Senators Kruger and Rivera looking into the circumstances surrounding DASNY, the New York Cannabis Social Equity Fund and Chicago Atlantic Group, and predatory lending for CAURD licensees, as brought to light by Rosalind Adams reporting in the city. OGS did not address it or the fate of CAURD licensees who participated in the fund. The OGS report also neglected to address any accountability of the CCB in all these issues. CCB's main function is supposed to be</p>



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				oversight, but what we got instead was oversights. Thank you.
7.	Brian	Seiler	Upstate pines Inc.	We're OCM Retail 001284. We got for proximity protection a couple months ago. Our TPIs and disclosures all say complete. If you drive about 45, 40 minutes to get legal cannabis in our area, and we're in a very busy area, we got through our town, our buildouts done. We're really just waiting for the final approval from the Cannabis Control Board. Thank you.
8.	Berkay	Sebat		Hi. Good afternoon, Board. I wanted to make a comment about, enforcement actions. I was a part of the group that actually protested in front of Heastie's office in order to get the Smoke Out passed. And it's been helping a lot of cannabis licensees. I'm very proud of that. And thank you for the sheriff and everybody else that got that act passed. But, I wanted to talk about a particular chain of dispensaries that hasn't really been, stopped or raided. Empire Cannabis Club. There is five active locations. I'm in contact with my community board. I'm open on 480 Broadway, and there's a location down the street from me and 424 Broadway. There's been enforcement in our area, but that particular brand of dispensaries or so-called dispensaries, illicit smoke shops, they never get touched. They closed places around them. The sheriff's office walks around in front of them. Doesn't really do anything. They just walk away. I tried to contact the sheriff multiple times with our community board. We sent photographic evidence, video evidence, tons of information about this location. They said that they, the press secretary, finally got back to us on 615 and said that they did a raid on 615 that Father's Day weekend, and they found no illicit cannabis at that location, which is absolutely insane to me. How you could walk into Empire Cannabis Club and not find illicit cannabis, they're growing weed in the store. It's like walking into a casino and not finding any poker chips. I don't know how that happened or how that supposedly happened. I would just like some clarity on enforcement efforts, on how it's done. Why it's done, why certain places are not being targeted. Yeah, that's pretty much it.
9.	David	Hooper	munchies dispensary ny llc	This is my third board meeting in a row. I spoke about my experience with the OCM how my family and I have diligently followed every change and guidelines required of us. Despite this, after having our virtual inspection on



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				<p>April 24th, we received no further communication. OCM required us to submit a lease. So someone, somewhere should be aware that since our virtual inspection, we have paid over \$100,000 rent. This is on top of the money we invested in and building our location and the countless other monthly expenses such as insurance. August 1st just passed, another rent payment was due. I received the email before last board meeting stating this matter was in the hands of the board. This meeting and I applaud the board to look at the facts as a whole, including the financial burden we have now carrying for months. And issuing our license is not just the burden of carrying. As you can see from the character letters from community organizations, I am involved with my family members who know me better than anybody in this room. These family members believed in me enough to invest in the dispensary, literally putting up a home and risking their livelihoods. What we thought would be a competitive advantage of being one of the first locations in our area and being able to take advantage of summer, have now become months of expenses. For my family sake, please bring this delay to an end. Thank you.</p>
10.	Alison	Carnie		<p>Hi. Thanks so much for hosting this public meeting and allowing public comment for this session. I am in the November pool. I've been really hoping for some progress on the status of my license. Wondering more about proximity protection if we are pending in the November queue, or December, queue I, know a friend in it as well. In terms of proximity protection, are we able to apply and receive that while still pending, as we're experiencing trying to find a location every time we refresh the map marker page, new locations are popping up. As landlords are finding out that a cannabis business is going into these stores, suddenly all these new hidden details and leases are coming up. It is a really tricky game. And so some clarity in terms of how we as applicants and, you know, reserve our resources in terms of, you know, realtors and entering into lease agreements only to find out that a location has popped up, while in that process. Clarity on that would be wonderful. Thank you.</p>
11.	Walter	Iwachiw	Wee4Justice	<p>Afternoon and evening. Hello. My name's Walter Iwachiw. I just want to commend the Board and staff on everything they're doing. I know it's hard to keep up with the numbers of applicants and the questions that</p>



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				follow through. I'm hoping that we can get started sooner than later. And communication is a big issue. So, I'm not sure how that's going to get resolved. There's a lot of illegal shops opening up within days of being closed down, so, it's a futile effort. Thank you very much.
12.	Jeffrey	Hoffman		Good afternoon. My name is Jeffrey Hoffman. I'm an attorney here in New York City. I want to thank the board on behalf of my clients to whom you've given licenses today. In particular, I want to call out one. Many of the folks here in the room here know Erin Moylan. She got a microbusiness license today. Unfortunately, between the last meeting and this meeting, her partner passed away tragically. And so I just wanted to keep her and him, he's gone and our thoughts in the process of the slicing. I know many folks here in the room know them. And it's just it's wonderful that you gave them a license. And it just tragically, Brian did not make to see it. I am encouraged by the fact that you're going to wrap up the conditional licenses. I encourage you to try to do that by the next meeting, not wait two or maybe three meetings. I have clients that are in all kinds of messes with that. I have one that has a problem with their, cannabis tax, certificate from tax and finance. I have another one that just one of the largest processors in the state, that you are really endangering their ability to continue to operate, due to the, delay in getting them their final licenses for this. So I really would encourage you to try to wrap that up by the next meeting. Let's not wait several additional meetings for that. On a bit of a lighter note, those of us may remember when we were young, your parents may have done take your kid to work today. I appreciate the board on having today be bring your parent to work. I was able to bring my mom from North Carolina. Today is her birthday, and she finally gets, and she kind of wondered what it is I do for a living. So it's really wonderful that I got to bring here today so she can see it. Thank you very much.
13.	Jay	Losco	Simply Green Natural Lifestyle Remedies	How you doing? I'm Jay Losco, Simply green, license number 0095. I've had my conditional license since July 19th of last year. I went through my final review in March of this year. Compliance keeps calling me and asking me why am I not open? Basically, I went through my final review. It's been six months. Had a gentleman here John I spoke to last time gave me his business card. Told me I made you sick to your stomach, right? But it was four





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				months. Now it's six months. You haven't answered a phone call. You haven't answered an email. What's going on? So basically, we're up here trying to figure out what's going on. We're hemorrhaging at 25 grand a month. We're \$2.1 million in a hole. Compliance said April 10th was our opening date. We're in August. What is going on? That's all I have to say. It's anyone who just got a license. This is what you were in for? Okay, I'm number 95 if you're a thousand or something. Good luck. They don't help. That's all I got.
14.	Michael	Rodriguez		Good afternoon. Thank you for the opportunity to speak. My name is Michael Rodriguez. I'm a CAURD licensee. The first 150 CAURD licensees were promised a real estate and funding for a turnkey retail dispensary from the DASNY Social Equity Fund. Only 36 out of the 150 CAURD licensees have been granted loans through the DASNY Fund. What is the plan for the remaining CAURD licensees? Is there a plan at all? What happened to the promise of a turnkey dispensary? These questions need to be answered in order for CAURD licensees to move forward. Thank you.
15.	Al-Bilal	Bankole		Good afternoon. This is my first meeting. My name is Al-Bilal Bankole. My license application number is OCM 2023-0011487. I'm a legacy operator. I've always been a legacy operator. I'm trying to do things the right way. I thank you for point in time. The reason I was turned back in April because of deficiencies, I fixed them. I've been trying to get communication. It's not been the best. It's been non-existent. In the meantime, I have friends, and I've seen some of the shops close have seen some of it businesses taken down. I would like to feel that if that is happening, especially in minority businesses, some that I know that pay taxes. I would have thought that when I came here. A lot of people were getting licenses and not that many tuning out and the whole and he telling us that 5 billion is going to go straight into legal businesses when the illegal businesses can't control. Or they do have some control and they're being like disregarded. If you're issuing out licenses, I like to think there is a bit more streamlined process. And not just where it is like a whole period, where it's like two years or three years and people lose. It's kind of making me feel a bit sad. I thought I had an opportunity to do something different, but coming in here and seeing people might be a bit more well-equipped, having difficulties. It's making me feel like this really isn't this place for me, and it's more so place for



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				y'all to talk about things that you're doing and listen to things that don't make no sense. But thank you for your time.
16.	Hector	Bonilla	Diamond Dispensary LLC	Hello, I'm Hector Bonilla OCM CAURD 2022-000374, Diamond Dispensary LLC. I'm very, very grateful to be awarded a license. So I want to thank OCM for that and letting me speak here today. I also want to salute and give recognition to CAURD and all of its members. By making this statement I realize I'm speaking for other people that might be in the same situation. So out of respect for them, I'm not going to take long. So I can be as clear as I possibly can with this statement, which is actually just a question. I'm not trying to lose my license, so I hope I'm not disrespecting anybody or stepping on anybody's toes when I ask this question. We were promised access to funding through a social equity fund for the first 150 CAURD licensees. Only a small fraction have been granted loans to that fund. The question is this respectfully moving forward. What is the plan for the rest of us? I know I can't get an answer to this question here today. Well, hopefully there's someone that is listening that can actually contact us and answer this question sometime in the near future.
17.	Belayet	Hossain		Good afternoon, Madam Chair. My name is Mr. Hossain, and my application number is OCM 000941. So I did get email yesterday regarding he's not approved because of proximity protection. It means that they say, the reason in 200 feet but proximity. My question is my place on the other side of the building. So maybe the tag on the other side of the building by I check that is almost 240feet. So in this regard, my question is what should I do? Do you want me to do, what someone to do the measurement and find which we are documenting to you. Because I am writing almost 19 month, and I am paying the higher rent because my location is very great location. I hope you will approve my location because I believe I can do the good community service and the big sites. So that was my question and I appreciate you guys doing hard work in this regard. And we also waiting long time to. So that was my question. So I am thinking I am going to preparing all the documentation, which I'm away from 200 feet because their location people love it. But even though so they had nothing legally. So they should, you know, approve because they are one of more than the 200 feet. Thank you. Have a good day everyone.
18.	David	Nicponski	Freshly Baked NYC	Good afternoon to Control board and members of the OCM. David Nicponski, co-owner and operator of Freshly



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				<p>Baked NYC, a licensed retail dispensary. I'm also a New York Cannabis Retailer Association board member and active participant with the New York City Cannabis Office and CANY Industry Association. I see the board attention being spent on proximity protection, case by case exceptions, and feel compelled to comment. Tangentially, I'm concerned that this cannot possibly be among the most important problems for the board to solve. So it makes me wonder about the prior organization process being used. For the topic itself, existing licensees will build operational businesses based upon the rules as written in guidance published. Folks have raised capital and operationalized business plans based upon the published rules, including particularly, proximity protection rules and the density of future licensed competition that can be inferred from them. Thus any exceptions process which should exist needs to have a few attributes to be reasonable. It needs to be public, transparent, objective in its decision-making process, quantitative in terms of being what's considered and repeatable in the outcomes it produces given substantially similar circumstances. There needs to be a way for existing affected licensees to object to the it's based upon the impact to them. It needs to be difficult-ish to successfully achieve so that exceptions really are rare and exceptional, and not the rule. If these attributes are not present in the result, the process is opaque, subjective or common, then will almost certainly see a slew of litigation surrounding these decisions, which will further disrupt resources and attention from the real problems affecting the industry and the public right now. The state hasn't always done so well at coloring within the lines of legality, leading to massive financial, business and emotional problems for industry participants and dis-serving the public interest. I beseech you, we beseech you, do not make this problem worse by crafting unnecessarily subjective, common, or opaque process. This will undoubtedly come up during the public comment period as well. Listen to us when it does, stay within the lines, please this time. Thank you for your consideration.</p>
19.	Edward	Dean		<p>Hi, Good afternoon, Edward Dean here to speak on behalf of myself and my Partner, Weinstock Teacher's Pet LLC. We submitted under the November equity opening there and in February, we got a notice required fingerprints, and two other items which we had all sorts of trouble with the portal. We emailed, called. Ultimately, we actually had submit through get everything into Sara to make sure it was in on time. We then subsequently got proximity of</p>



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				the map. Thought everything was okay. Called up a couple of times to make sure everything was in. Then suddenly last week, we got a notification that something wasn't the continuity plan wasn't included, which it was. So, and then I noticed we were taking off the proximity map and gone and it is something right across the street for where we have proximity, just like that. So after hearing some of these stories today, it certainly got me a bit rattled. You know, I thought I was in bad shape, but this is just, you know, I don't know what else to do we called repeatedly. The portal wasn't working, you know, and it seems you have an equity program to be bumped out over communication issue doesn't seem very equitable. Kind of ironic. So, I just, you know, really pleading here to have my case reviewed. I guess the other option was hiring a lawyer. Article 78 paying more fees on top of which, you know, rather not have to do that. But, I would just like for someone to take a look and see that we made every effort, reached out repeatedly different methods, and got the proximity. That was an indication I thought that was positive. And then to get that email the other day was really stunning. I didn't see that coming. So please consider that.
20.	Bruce	Sterman		Two comments. Advertising, marketing. Anything that a liquor store can do, a cannabis store should be able to do. That's the competition. The unlicensed stores. They can do anything. They are doing everything. Let's loosen up the regulations. The OCM went halfway. Let's go the rest of the way. Second comment, can we welcome Felicia Reid.
21.	Jarred	Spindel	Empire Flower Inc	Greetings. My name is Jarred Spindel. I am OCM CAURD number 00186. Earlier in the year, I was granted proximity protection for a location, fully compliant, and began entering into contracts for a very, very expensive, complicated development in Williamsburg on the waterfront. A competitor effectively was able to sneakily prove incorrectly in some way that I didn't have a lease and my proximity protection was rescinded. I immediately responded, proving that I did have control. Provided all my documentation. Months went by and there was silence. Not fair. Not really what I expected from a program that was supposed to be social. I have zero equity partners. I am the person that went through the process ten years ago, being nearly thrown in jail for growing weed in the in New York. And, so I moved on. I did not pursue any sort of legal action towards OCM. Because that's not why I'm here. I'm here to participate in



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				the market. I've now submitted another location at the same that is technically more than 1000ft. away from the competitor that took my proximity protection. And I was denied yet again. I'm technically 1056 feet away from this place, from this other location. In a walking distance. Not a straight line. We're in a neighborhood where there's 150,000 residents and several hundred thousand tourists that come through. And the reason why I'm presenting this is in light of this new, piece that's been added about making exceptions for people that have been in this competitive, situation. I would ask that my application be seriously considered for a waiver because although I believe what was done was unfair. I'm more than happy to compete in a legal and fair way. And so I think that what's being reconsidered as far as the proximity to each other in certain circumstances should be looked at and that's what I'm asking today. Thank you.
22.	Carlo	Muraco	Bad Mary Jane	Yeah. Hi. I', Carlo Muraco from Bad Mary Jane, and, it's been a real struggle to try and get open, as everybody knows. And I'd like to say that I'm here to plead for a bunch of friends of mine who are caught up waiting. They have the protection for the property, and their applications are being reviewed, some of them five months, four months. And, you know, we think to ourselves, why is it taking us so long when we were already approved and they're still waiting. And one other thing I'd like to say is also, I hope that the OCM is not thinking about making the proximity protection shorter right now, it's 1000ft. And there are in Manhattan, people are already on top of each other. And, I'd also like to thank everyone from the OCM, especially Miss Wright it seems like your straightening the ship and things are getting better. All right. Thank you. Also, all the help I get from, Sava V. and all the girls, I appreciate it. Thank you again.
23.	Orlando	Bispo		Hi. How are you? Are you guys familiar with ...on Dit Mars. Oh, okay. Sorry. Not sure how this works. But I just wanted to know if I was going to be allowed to open up a...? That was my question. So if you can't answer questions, then I won't? So there's a there's a dispensary on Dit Mars, but then there's an empty corner spot. Like I'm not sure how many feet, but it would be a different type of business. But it would be OCM licensed. So does that fall within the technicalities of the parameters in the 1000 feet? Because I'm not I'm not a dispensary. I'm a I would be allowed you know what I mean. So those kinds of things, they're not specified online, at least if they are the language is confusing. And then the same things



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				that I asked for before, you know, state tax exemptions or tax reimbursements for things like endemic causes, you know, planting things that are inside. Also riparian rights. If you were able to speak with Miss James in regards to anything real estate related, having that information that the OCM fingertips would be very helpful in the decision making and law process making, it will prevent redundancies and weird questions that like what happened before it is solved. That's all. Thank you.
24.	Bryan	McKenzie	CBJ Retail	Good morning. Good morning. My name is Brian McKenzie, from CBJ Retail, Brooklyn, Coney Island. I'm here again, my third meeting. I'm, applicant 206 on the November queue. Also, SEE applicant minority I own 51% of my business. I'm here basically because I've been on background review as of June 24th. SGR wrote me and told me I was on background review. Then Alana wrote me and told me I'm still on background review. It's over 30 days. Anything that we do or we have to submit to guys, we have to submit it within 30 days. So why can't you guys give us the same courtesy? What else I want to say? That's it. That's it for now. Thanks a lot. Have a good day.
25.	Nubia	A		Hello. How is everyone doing? I'm coming here because I am thankful that you guys are doing shutting down the illegal shops. But I'm here today because an illegal shop is being licensed, and everyone knows. And I think it's very unfair that we are all fighting over proximity and an illegal shop that has been illegal for years is getting a license today. And I hope that something can be done about it. Thank you.
26.	Carine	Levan		My name is Carine Levan. This is regarding license number OCM RETL 24000032. First, I'd like to thank you for giving me this opportunity. The reason we're here today is to discuss the need to relocate our license location. While we're waiting for final approval, the circumstances of our initially approved location changed unexpectedly. Like a lot of people here. The tenant who is supposed to vacate the premises has renewed their lease after securing their necessary financial for their business. In response, we have acted swiftly and responsibly by signing a new lease in an alternate location. We have already submitted the new lease documentation and are waiting your response. It is important to note that we are incurring rental costs for the new location. We have thoroughly vetted the new premises, ensuring it meets all the parameters required by the OCM. Thank you for your request





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				for respectfully request your approval to relocate our licenses at your site. Thank you.
27.	Kate	Hruby		So thank you all for giving me the time today. I want to thank the board for passing the bylaws for drafting the bylaws and passing them. Just adding some more clarity. Clearly, you know, you're mirroring the law. But that was I think, a step in the right direction for all interested parties. To Jared's point. Also want to thank the board for the conforming revisions to, parts 118 and, excuse me, parts 119, with relation to 119.4. I think just piggybacking off of Jared's point, I think it has to be I think the criteria has to be strong because of course, we do not want to, undo, you know, the protection that the thousand-foot rule provides to already license operators. And by the way, to your point, chose those locations and finalized those licenses, knowing that they would have some protection, right. In this very competitive city which we live in. But I do think in some exceptional extenuating circumstances, there does need to be some consideration of a waiver in accordance with the criteria if you can meet the criteria. And I think although I don't know if this is possible at this point, I think you have to potentially also amend the regulations such that you can give licensees were denied for certain locations that might meet the criteria, an opportunity to cure deficiencies and not be totally denied from that location. Maybe an extension if you meet this, the criteria for extenuating, that would be extenuating circumstances. Another alternative would be to do this via emergency rulemaking, but I don't think it meets that high bar. So that's all I have to say. Thank you very much.
28.	IBRAHIM	AYU	NAT TURNER REBEL DEVELOPMENT ORGANIZATION, INC.	<p>The Impact of Disproportionate Police Practices on the Mental Health of Urban Communities: A Case Study of Crown Heights and Morris Heights</p> <p>Introduction</p> <p>Disproportionate police practices have long-standing and profound impacts on the mental health of urban communities. This analysis delves into how these practices have specifically affected the mental health of residents in Crown Heights, Brooklyn, and Morris Heights, The Bronx. By examining historical contexts, relevant statistics, and current conditions, this study aims to provide a comprehensive understanding of the ongoing challenges faced by these communities.</p> <p>Historical Context</p> <p>Historically, both Crown Heights and Morris Heights have been vibrant, diverse neighborhoods with significant African American and Caribbean populations. However,</p>



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				<p>these communities have also been sites of systemic racism and aggressive policing strategies. The implementation of policies such as "stop-and-frisk" in New York City has disproportionately targeted Black and Hispanic residents, leading to widespread mistrust and psychological trauma.</p> <p>In the 1990s and early 2000s, the New York Police Department (NYPD) employed aggressive policing tactics, often justified under the banner of the War on Drugs. This led to a significant number of stops, searches, and arrests, primarily affecting young men of color. These practices have left an indelible mark on the mental health of these communities, fostering environments of fear, anxiety, and trauma.</p> <p><b>Impact on Mental Health</b>  <b>Chronic Stress and Anxiety</b>            Frequent encounters with law enforcement have contributed to chronic stress and anxiety among residents. The constant fear of being stopped or harassed by police can lead to hypervigilance and anxiety disorders. Studies have shown that repeated exposure to such stressors can result in long-term mental health issues.</p> <p>A study conducted by Geller et al. (2014) found that young men who reported being stopped by police multiple times were more likely to exhibit symptoms of anxiety and post-traumatic stress disorder (PTSD) . This is particularly relevant in neighborhoods like Crown Heights and Morris Heights, where high rates of stop-and-frisk incidents have been recorded.</p> <p><b>Depression and Hopelessness</b>            The feeling of being targeted and treated unfairly by law enforcement can lead to depression and a sense of hopelessness. This is exacerbated by the socio-economic disadvantages that often accompany systemic racism. Many residents in these neighborhoods feel marginalized and disenfranchised, further contributing to mental health issues.</p> <p>Research has shown a clear link between experiences of racial discrimination and depression. A report by the American Psychological Association (APA) highlights that racial discrimination and police violence can significantly increase the risk of depression among African Americans .</p> <p><b>Community Trauma</b>            The collective experience of aggressive policing can lead to community-wide trauma. This trauma is not limited to direct encounters with law enforcement but extends to witnessing the impact on family and friends. In</p>



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				<p>neighborhoods like Crown Heights and Morris Heights, this shared trauma can create an atmosphere of mistrust and fear, undermining community cohesion and support networks.</p> <p>A study by Alang et al. (2017) discusses the concept of "collective trauma" experienced by Black communities due to repeated police violence, emphasizing the broader impact on community mental health .</p> <p>Relevant Statistics            Stop-and-Frisk Data            In 2011, at the height of the stop-and-frisk policy, the NYPD conducted over 685,000 stops, with more than 85% involving Black and Hispanic individuals . In Crown Heights, a predominantly Black neighborhood, residents were disproportionately targeted. Similarly, in Morris Heights, the majority of stops involved young Black and Hispanic men.</p>
29.	Bernard	Graves	Queens delight llc	My retail license was approved but when I received the license the landlord now is not allowing me to open. Is the commission thinking soon of letting people submit a change of location because of instances like this? I have a new location ready.
30.	Ashley	Ferreiras		Hi, I wanted to know when us applicants who submitted our applications in November of 2023 will be receiving an answer towards our application. It has been about 9 months and there has not been any update given. Us small business owners have been effected a lot by the pace of the process.
31.	Ralph	Dailey		What, if anything, does the board do about violation enforcement? Specifically about unlicensed retail vendors or underground vendors? The police, DEA, county sheriff typically reply with opposition to the board existence so they do not enforce any cannabis related crimes in the community. Is there a venue where you can publish enforcement action(s) or closures? Thank you
32.	Simone	Watson-Lewis		I want to hear more about jobs in the cannabis field working in cannabis management
33.	Leslie	Rodriguez	LICC	Without your support with the municipality's imposition on the entry of our licensures, we will just have license that will expire with no opportunity. Long Island is under unreasonable restraints pertaining to cannabis operations. Please help otherwise this will all be for the rest of the state.
34.	Fred	Ruckel	OK to Grow	What progress is being made to allow licensee's to accept credit cards for payment or other payments than cash? Credit cards fall under federal rules making it nearly impossible to use (without a loophole). Cash business



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				<p>represents risk of robbery due to cash on hand. We have product but not a safe way to collect money.</p> <p>Second: Our operation is solely online. We have been selling our CBD/CBG hemp flowers and shipping them nationwide for 2 years with no issues. As we are only allowed to sell within New York state, the ability to ship products to customers around New York is imperative to our micro-business. Furthermore, I am able to order beer, liquor and wine to be delivered via common carriers like FedEx, with 21 and over signature, can cannabis licensees have that ability also?</p> <p>third: events. If we are hired to do an event, like a wedding, with 200 guests, how would we handle that? We would like to make a flat fee per head to people who will partake in Cannabis, the same as a regular bar is paid for at a venue, we would like to be able to offer bespoke packages to wedding parties and business events. How would that work?</p> <p>I had sent several messages to OCM compliance since we received our license to speak to someone about the attestation agreements. It took 60 days to receive a response, which only asked to provide more information. If we are to adhere to very strict compliance guidelines, respectfully, it should not take 60 days to get a response as that is half the entire grow cycle of our farm.</p>
35.	Tayfur	Bademci		<p>Mr. President and Distinguished Participants</p> <p>While examining the regulations and laws on the site, I did not see any explanation about the legislation on the sale of cannabis by traders who sell online, through the Dropshipping method. As you know, when cannabis is sold through dropshipping, the product of the pharmacy concerned is sent to the customer by the licensed pharmacy. In other words, the online seller does not interfere with the product. He acts as an intermediary. Is there or will there be a legal regulation on this issue?</p> <p>Legal Dropshippers should be able to sell without a license (I think it is not necessary). Thus, commercial activity will gain momentum, tax, sectoral development, potential will increase. Sincerely regards</p>
36.	Sami	Abdelazim		<p>Is there a plan to help the struggling hemp Retail license holders by revising the hemp regulations to allow 1:1 ratio and not the current 1:15 which no products exist they week and the community lost access to cheap high quality hemp products like Xite and Snoozy which are now being sold in adult use dispensary and we lost 80% of our revenue going back to CBD only and even a 1:2 or 1:4 would help us. Would you consider adjusting the hemp</p>



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				regulations to a ratio like 1:1 or even 1:4 so we could sell snoozy again and would you consider maybe adding a hemp THC tax 5% or something to help make money for the state and let us sell more products?
37.	MITCHELL	NEWMAN	MITCHELL' SNY LOGISTICS	The success of cannabis distribution in NYS is directly tied to the State's ability to close down the illegal operations. Can you report on the progress of these efforts? I applied for a distributor license in December 2023. I'm still waiting for a response. Can you update us on why this is taking so long and what can be done to expedite the process?
38.	Zilka	Saunders		The Governor previous stated that a fund was being created to facilitate claims of those who relied to their financial detriment on OCM's priority consideration for dispensary licensing. I lost \$15k obtaining and maintaining control of a premises only to find out after the fact that only 250 of the over 2,200 entities on the queue list would even be reviewed for licensing. This is the second time I have asked this question. I am a working woman and while many list a lot more, I cannot afford and should not have to absorb a \$15k loss, (especially when, in addition to the misinformation from OCM, there is evidence that the queue selection was not random.) If there will be no fund for claims or announcements as to what the criteria for recovery from such a fund will be, I will have no choice but to file a lawsuit. I would like an answer this time.
39.	Abdul	Hamid	Canna Buddha LLC	Application #: OCMRETL-2023-001623 Business Entity is Canna Buddha Corp. It's been 8 weeks since the correction of the last deficiency was submitted. It required sending a notarized attestation saying that myself, Canna Buddha, and any associated TPIs have divested from any non-retail license type. My question is how long does it take for the enforcement division to complete processing thanks
40.	Harley Bob	Harley Bob		Every time the NYS CCB charges \$2,000 to maybe get a grow license,, the NYS CCB loses over \$2,000,000 in taxable products because the other parts of the United States are cashing in. If Massachusetts did an extra \$5,000,000 in sales they didn't except. How much longer is NYS withhold licenses & lose millions & millions in taxes?
41.	David	Taveras	CBE LLC	I am Micro Business Applicant on the December Que number 2395. Why is it taken so long to get through Novembers Que? And if they are hiring help why haven't I seen and job post from ocm or any progress with speed or updates? The average time for ocm to look at your application is one year . Where is the the progress. This is



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				David Taveras CEO of Cinematic Brothers Enterprises LLC.
42.	Wayne	Bishop	Glass House Farms, LLC	I am a license holder of a microbusiness license, and I have asked the OCM for an address change for cultivation and I have not been granted permission to do so even though I have verified there is no conflict with any rules and regulations. In addition, I have notified the OCM that I intend to operate a retail operation in another nearby city with no regulation conflicts and the OCM has not approved this and it's not an address change. This is a bit concerning that the OCM has issued these types of licenses and are not allowing simple address changes and permission to operate the retail business that does not require an address change. This seems observed to me that the OCM is not being more cooperative in granting this kind of permission and is holding back license holders from operating. Please work with us to get this business into operation as soon as possible, that require minimal or no changes at all.
43.	Wayne	Bishop	Glass House Farms, LLC	I sent multiple emails to the OCM only to receive no responses. Only after including all executives on the email and after several weeks, did I get a response. This is not professional or respectful to the industry you are trying to get operation as soon as possible. Please be more proactive in addressing inquiries.
44.	William	Hills		I would like an answer why enforcement is ignoring the establishment The Herbal Center in Liverpool NY. Even the Village Police Chief is being ignored. The establishment is in the village within 2000 feet of a house of worship selling cannabis illegally. No license for cannabis. Driving a van around the area delivering product. The establishment is advertising on social media and think they are untouchable. I can not count how many complaints I have submitted and the Village Police Chief also. I want answers please.
45.	David	Goldberg	CBE LLC	WHY HAVENT THEY HAD JOB POSTINGS TO SPECIFICALLY HELP WITH THE NOV AND DEC QUE'S ? I HAVE LOOKED DAILY FOR THOSE JOB POSTINGS AND STILL NO SIGN OF RECRUITING FOR THOSE JOBS. WHY ARE THERE STORES LIKE STATIS CANNABIS AND POLANCOS BROTHERS OPENING TWO STORES AND YOU HAVENT GIVEN THE CHANCE TO PPL ON THE QUE TO OPEN ONE STORE ? WHY ALLOW PPL TO OPEN TWO STORES AND THEN SAY DECEMBERS QUE DEPENDS ON SATURATION ACCORDING TO THE OCT PDF DOCS YOU WANT US





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				TO READ OVER ? HELP EVERYONE GET ONE STORE BEFORE YOU LET STORES OPEN TWO STORES !
46.	Vinny	Esposito	Level Up LLC	WHY ARE THERE STORES LIKE STATIS CANNABIS AND POLANCOS BROTHERS OPENING TWO STORES AND YOU HAVENT GIVEN THE CHANCE TO PPL ON THE QUE TO OPEN ONE STORE ? WHY ALLOW PPL TO OPEN TWO STORES AND THEN SAY DECEMBERS QUE DEPENDS ON SATURATION ACCORDING TO THE OCT PDF DOCUMENTS. HELP EVERYONE GET ONE STORE BEFORE YOU LET STORES OPEN TWO STORES ! 2X HELP EVERYONE GET ONE STORE BEFORE YOU LET STORES OPEN TWO STORES !
47.	Marwan	Dabis		I paid for the license application( which took me hours to complete ) and have not heard anything back from ocm . At least do the right thing and offer me a refund if you can't give me the license .
48.	Dan	Kogan	Dany kogan	finding good location/space is key factor, today landlords/management company's like vornado and newmark and paramount group and so on do not want to lease to legal cannabis retail dispansirys because of all the illegal cannabis stores destroyed and gave a bad reputation to the legal market, we need the governor to help with this landlords so we can secure a good locations lease because that is what's important in today market and what will bring the millions into the billion doller market
49.	Michael Fausto	Goldstein	Level Up NYC	WHY HAVENT THEY HIRED MORE PPL TO GO THROUGH THESE QUES? ITS BEEN OVER A YEAR. CLEARLY THESE FUNDS HAVE NOT BE ALLOCATED FOR MORE STAFF DOING INTAKES. THERE ARE STORES LIKE THE POLANCO BROTHERS AND STATIS CANNIBUS WHO OPENED UP TWO STORES AND THERE ARE PPL ON THE QUE WHO HAVE PATIENTLY WAITED FOR A YEAR OR MORE TO GET ACKNOWLEDGMENT AND THAT HAVENT EVEN BEEN GIVEN THE CHANCE TO HAVE ONE STORE LET ALONE TWO. CAN OCM STOP ALLOWING PEOPLE TO OPEN UP TWO STORES WHEN WE DONT EVEN HAVE ONE. THE PDF OCM POLICY GUIDANCE FOR OCTOBER EXPLAINS THAT DECS QUE DEPENDS ON THE SATURATION OF NOVEMBERS QUE. HOW DOES THAT MAKE SENSE OF YOUR ALLOWING PPL TO OPEM 2-3 STORES WHO ALREADY HAVE THERE LICENSE. MIGHT BE NEPOTISM HERE
50.	Curey	Assatee		Will there be another round of accepting new applications?
51.	Matt	W		Urgent: Concerns Regarding Oversaturation of Cannabis Market Dear Cannabis Control Board and Cannabis OCM,



# Office of Cannabis Management

	First Name	Last Name	Organization (If Applicable)	Public Comment
				<p>I hope this message finds you well. I am writing to express my concerns regarding the current state of the cannabis market in New York.</p> <p>As a licensed cannabis business owner, I have been closely monitoring the industry trends and recent developments. It has come to my attention that there has been a significant increase in the issuance of cultivation, production, and distribution licenses, including micro licenses. While this growth may initially seem beneficial for the industry, it is crucial to consider the potential long-term impacts.</p> <p>My colleague, Jason, and I believe that the current rate of license issuance could lead to an oversaturation of cannabis products in the market. This oversupply could potentially destabilize the market, negatively impacting both businesses and consumers. The oversupply could lead to a decrease in product prices, which might initially seem beneficial for consumers. However, in the long run, it could lead to businesses becoming unsustainable, thereby reducing the variety and quality of products available to consumers.</p> <p>Furthermore, the current trend seems to favor larger interests, which could lead to a monopolization of the market, further reducing competition and variety. This situation could be detrimental to the diverse and vibrant cannabis culture that New York is known for.</p> <p>In light of these concerns, I kindly request that the board consider limiting the issuance of new licenses. Specifically, I suggest that the board halt the issuance of cultivation, processing, manufacturing, and distribution licenses for the time being. Additionally, I recommend that the board issue refunds to those in the December queue. By taking these steps, we can ensure a sustainable and diverse cannabis market in New York, benefiting both businesses and consumers alike. I appreciate your attention to this matter and look forward to your response.</p> <p>Best regards, Dennis Pokrzywka</p>
52.	Erin	Cadigan		<p>Hello and thank you for allowing me to comment. I am a property owner in the town of Woodstock NY. In 2021, my partners and I purchased a building in the downtown to open a dispensary. Unfortunately, our plans to be the dispensary operators did not work out, so we agreed to find operators to purchase or lease the building. It is an excellent and fully compliant location in a small town. In 2023, we entered a binding agreement with a license applicant who made the Nov queue. This client received</p>



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				<p>OCM proximity protection in April on our location. A second licensee hopeful who had been denied their Woodstock location for being across the street from a church but was lower on the queue contacted OCM licensing. Using an SLA grant for a full liquor license for a brunch restaurant that shared their building, they took proximity. This second licensee location is in the very center of our small downtown. The entirety of Woodstock's commercial zone is covered by their 2000 ft proximity protection. This has made our building no longer viable as a dispensary location and robbed another licensee of their dream.</p> <p>The issues I'd like addressed.</p> <p>Lack of Due Diligence by OCM - the location holding proximity has an open retail floor plan that serves two businesses. One business is operated by the licensee. The other is a long-established business that is still operating in the space the licensee claims to control. The businesses share an entrance door and the only separation of retail is a non-permanent partition wall. There is no control of this space by the licensee. Additionally, this space is not ADA-compliant for employees.</p> <p>I feel like the OCM ruling granting the right to operate under 200 ft from a church was extremely questionable and based solely on a hand-drawn, mislabeled map by the SLA applicant.</p> <p>Proximity Protection Compliance - This licensee has proven they never had the intention to open at the proximity-protected location. Instead, they have used the proximity "blanket" over downtown Woodstock to cherry-pick a new location. Within days of gaining proximity protection, before even being granted their license, they contacted my partner to try to gain control of our location. We were made aware that they were pursuing other in-town commercial spaces and using this to pit landlords against each other in a race for the bottom in lease terms. This has gone on for three months. They have now signed a lease with another landlord whose location is across the street from, and by state measurement laws, within 200 ft of a different church. They probably have not alerted the OCM yet because they are awaiting a town zoning law that rewords how measurements are taken. If passed this would place their "new" location just outside 200ft.</p> <p>There has been no intent to open, nor movement towards opening, at their proximity-protected location since earning their license in June. They signed an application with</p>



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				<p>FAQs that state the applicant must demonstrate progress to opening within 20 business days. It has been 41 business days holding proximity on a location that they have shown no intention to open in.</p> <p>Additionally, your own Cannabis Regulations (sec 120) state that a license is granted to an applicant who is ready to carry on the activities set forth in the application. This licensee's application stated they would be opening a dispensary at a specific location, which they've proven they were not ready to do.</p> <p>I do not advocate removing the license but I ask that proximity protection be removed from their location immediately. Applicants should sign applications in good faith and not utilize OCM regulations to manipulate circumstances. They should become a provisional licensee like everyone else who didn't have control or intent on a compliant property. As they are no longer in a queue they should not be given any priority over other provisional licensees. I have contacted the OCM previously about this and yet nothing seems to happen.</p>
53.	Andrew	Cooper	Falcon Rappaport & Berkman LLP	<p>There are quite a few applicants from the November round who submitted applications with proof of site control for priority review. Many of those licensees were granted licenses tied to those sites. Unfortunately, many of those licensees are now unable to move forward at those locations for a variety of reasons including, among other reasons, that they were simply unable to retain site control due to the time that passed between the application submission date and the date of license approval. When will we have a process for those licensees to remove the current locations and submit new ones for the OCM to review for proximity protection?</p>
54.	Rudy	Bundini		<p>today big landlords/management company's do not want to lease the space to legal cannabis retail dispensarys, we need the help from governor hochul and the mayor office together with the ocm to help us legal retail dispensary to get the good spaces/locations</p>
55.	Dan	Kogan		<p>We need the help from the ocm and govnor hochul and the mayor office with getting a good location and talking to because big, landlords /management company's do not want to lease to legal retail dispensary and with out a good location no one will be maken money in the cannabis retail dispensary industry</p>
56.	Jennifer	Modica	Organic Jade Growers LLC	<p>My sister and I were awarded the Microbusiness License, and we will grow cannabis in our organic soil on our organic farm in Western NY. Our business name is Organic Jade Growers. PLMA regulations state that</p>



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				licensees cannot put the word "organic" on our labels. Can we put our business name on our packaging? Can we be granted an exemption to that specific PLMA rule?
57.	Vinay	Mehta	Gotham Manufacturing Corp	Is it possible to get an update on what number the OCM is at on the processor que list as of today? Thank you!
58.	Concerned	Citizen		Sweet Smokers Outlet in Ballston Spa has been selling cannabis with THC for months and months without a license. I have notified enforcement multiple times without any action taken by the OCM and now you are granting them a license. This is very disturbing to me as a citizen of NY that you would grant a license to a business that so clearly flaunts the law.
59.	James	Morgan		Please explain why I continue to report Sweet Smokers Outlet to the OCM for selling illicit cannabis and they have not yet taken any action, and now I see they are on the agenda to be approved for a license
60.	Jason	Stowell	Excelsior Genetics, LLC	<p>Hello and thank you for this opportunity. Excelsior Genetics, LLC is requesting review of its application. After participating in every CCTM session and still to this day, working with our OCM assigned mentor, and completing our initial application for a Microbusiness (with retail) license, we have secured and been paying rent on our location since May 2024.</p> <p>Our municipality and company worked for months together, going through Planning Board approval hearings and permitting. We started this lengthy process before the Office made the arbitrary decision not to continue reviewing December applications. Many applicants like myself were in the middle of securing locations, permits, and local municipality approval well before the May decision to stop review to the December queue. Our municipality Planning Board has sent the Office its "Letter of Opinion" and "Approved Permits" supporting Excelsior Genetics, LLC doing business and its location/address within the municipality.</p> <p>After many attempts to have OCM recognize our location or the "letter of Support" our municipality sent on our behalf, we have been unable to receive any confirmation/acknowledgment from the Office that they have received our documents. Our Planning Board was excited to go through this process, following all guidelines for location and permitting, however are still waiting for confirmation. They clearly state in their letter that Excelsior Genetics, LLC is the only cannabis company that has come before the Planning Board with its business</p>



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				<p>plan and that it is the only company the municipality has "permitted" to operate in its town.</p> <p>We are again requesting to have our application open for review. All CCTM participants should have a guaranteed and priority application review due to the commitment we put into the OCM program. Thank you for your time.</p> <p>Jason Stowell            Founder / Executive            Excelsior Genetics, LLC</p>
61.	Karen	Smith	Smitty Buds	<p>My name is Karen Smith I am a black female disabled veteran born and raised in Yonkers. When NY opened up both the November and December application processes I was extremely excited as I thought I would be given a fair shot at generational wealth. Unfortunately I feel like I was slighted with only 5% of the applicant pool being disabled veterans I'm not sure why on both list I was not offered or shown any advantages in the queue. There are over a thousand people ahead of me in the November round and I was omitted from the December round as the OCM did not accept my application due to a technical error on their side. Although my account was charged and I have time stamped proof of submittal in time I am left with no resolution other than a refund of my application fee and a denial by the OCM despite all of my time stamps and evidence of submittal. I'd like to know as a black female disabled veteran where was my chance at opening a dispensary when over 1000 general applicants are ahead of me. I feel as not only a Social Equity applicant but also a disabled service veteran I have been done an injustice</p>
62.	Kassia	Graham	High Exposure Agency	<p>In 2022, the launch of the CAURD program promised support/resources to ensure those most harmed by cannabis prohibition in New York would have the first opportunity to obtain licenses. However, in 2024 less than 30% of provisionally approved CAURD licenses have been able to open their businesses despite the injunction ending in October 2023. As the CCB shifted focus to the applicants from the most recent cycle there has been little regard for how the remaining 70% of CAURD licensees will be supported in their efforts to open. This needs to be addressed immediately and transparently.</p> <p>The fate of thousands of Social &amp; Economic Equity (SEE) applicants in the December licensing queue is in limbo and may not receive licenses. What is being done to rectify this situation; especially for those who still want to move ahead with the process. People are losing faith in this process and rightfully so.</p> <p>Lastly, to date Damian Fagon, NYS OCM's Chief Equity</p>





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				Officer, is still on leave and we don't know what next steps are. Though others have expressed dismay with his performance, there is still a larger body of people who approve of the work he's done. He actually shows up for licensees and has been integral in helping them build a good foundation for their businesses. He should be brought back and given the resources necessary to carry out his duties. If not, an adequate replacement must be made immediately, and that goes for all the open positions in the office.
63.	Lex	S		What is happening with hearings after stores have been raided, I mean inspected, and not sealed? You put this sign up that cannot be taken down or else we pay exorbitant fees, but you're not offering a way out. You're not replying to hearing schedule requests and nobody is reaching out. What are stores supposed to do?
64.	Robert	Licari		Online video of Control Board meeting is not working. This seems to be the usual for the OCM. People are meeting your licensee requirements and going bankrupt waiting for your processing. What has been done to improve the OCM processing applications? Why is the process so slow? Liquor and tobacco licenses do not take as long. Thank you
65.	Miyuki	Talwar	Pazzo Rollio	My application was VOIDED. Applied in November 2023. I submitted additional documents and corrected deficiencies. Can I submit and reapply?
66.	ROCKAWAY	MOONSHOT	Moonshot NY	Greetings, Can the Board comment on how long the waiting period is from the time a retail dispensary licensee requests OCM walk through the proximity protected space for inspection for approval to open?
67.	J	W		I understand prepayment for delivery is required, but it is not feasible. As John Kagia has said publicly, "For those people who may be using debit cards that are issued by Mastercard or Visa, as long as the charge is being processed as a debit, not a credit transaction, then a customer is able to use them for purchases at [recreational] dispensaries," As you may or may not be aware, in order to complete a debit transaction while not using Visa and Mastercard as the processors, a pin is required. To my understanding, agnostic of industry, there has never been a pin authorized debit payment on the internet. In effect, the state is forcing retail dispensaries offering delivery to accept credit card. Forcing increased risk on your licensees.
68.	SHARON B	DANG		There have been too many empty promises from ocm to respond to my multiple inquiries, emails, public



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				<p>appearances, etc. I still have not received any communication from Ocm as of today. I only received a phone call back from Ocm stating that somebody would be getting back to me. How much longer do I have to wait? How many more false promises do I need to endure? I first submitted an inquiry back in February of this year.</p> <p>I'm a single mom who is living paycheck to paycheck and have already depleted my savings and energy to keep securing the lease tied to my license. I can no longer afford to do so.</p> <p>I am the SEE applicant on my application and am a victim of predatory behavior by the person who submitted my application. Ocm refuses to assist me with uploading the remain documents necessary to complete the approval process. What does 51% owner mean anyway if I have no rights?</p>
69.	Thomas	Ballistrea	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 and dedication 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 ask the board to consider the regulations in general as in my humble opinion the regulations 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.</p> <p>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</p>



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				<p>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 result of overregulation will only allow large well-funded companies to operate in a compliant manner.</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.</p>