



# 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

No. 2024-86  
August 6, 2024

## RESOLUTION TO ISSUE CERTAIN ADULT-USE CANNABIS LICENSES

WHEREAS, pursuant to Article 4 and Section 10(1) of the Cannabis Law, the Cannabis Control Board (Board) is given the authority and discretion to issue licenses related to adult-use cannabis;

WHEREAS, pursuant to Article 4 of the Cannabis Law, the Board is charged with the responsibility of overseeing activities related to adult-use cannabis;

WHEREAS, pursuant to Section 10(23) of the Cannabis Law, the Board may delegate its functions, powers and duties to the Executive Director of the Office of Cannabis Management (Office) subject to certain exceptions;

WHEREAS, pursuant to Section 76(4) of the Cannabis Law, when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a license authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion;

WHEREAS, certain Municipalities have expressed an Opinion for or against the Board’s issuance of an adult-use license to certain applicants;

WHEREAS, the Chairperson of the Board has made a preliminary determination to grant adult-use licenses to certain individuals and entities that have applied for adult-use licenses (as identified by the applications in Attachment A);

WHEREAS, the members of the Board waive their right pursuant to Section 10(1) of the Cannabis Law to take up to 14 days from the Chairperson’s preliminary determination to object to the Chairperson’s preliminary determination or to request that the matter be brought before the full Board for consideration;

WHEREAS, no member of the Board objects to the Chairperson’s preliminary determination to grant certain adult-use licenses, and no member of the Board requests that the matter be brought before the full Board for consideration;

WHEREAS, the Board desires to issue a license as indicated, to every applicant that has received the Chairperson’s aforementioned preliminary determination to grant an adult-use license as identified on Attachment A hereto;

WHEREAS, the Board desires that a response be issued to those Municipalities that have expressed an Opinion



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explaining how such Opinion was considered; now, therefore, be it

BE IT FURTHER RESOLVED, the Board hereby delegates its authority to the Office, effective immediately, to issue a response to Municipalities that have expressed an Opinion in favor of the issuance of a license to the applicants identified on Attachment A explaining how the Opinion was considered;

BE IT FURTHER RESOLVED, the Board approves, and directs the Office to issue, the responses contained in Attachment B hereto to Municipalities that have expressed an Opinion in opposition of the issuance of a license to the applicants identified on Attachment A;

BE IT FURTHER RESOLVED, the Board issues an adult-use license as indicated to every applicant that has received the Chairperson’s aforementioned preliminary determination to grant an adult-use license as identified on Attachment A; and

BE IT FURTHER RESOLVED, the Board dictates that an adult-use licensee shall not begin adult-use cannabis operations until the completion of any additional requirements to the satisfaction of the Office including written approval from the Office’s compliance team.

**[Attachment A]**



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## Attachment A

### Adult-Use Applications Recommended for Approval

Application ID	License Type	Entity Name
OCMCULT-2023-000129	Adult-Use Cultivator License	Canna Cure Farms, LLC
OCMCULT-2023-000157	Adult-Use Cultivator License	HHC Cultivation LLC
OCMCULT-2023-000172	Adult-Use Cultivator License	Scotch Valley Ranch Hemp LLC
OCMCULT-2023-000174	Adult-Use Cultivator License	Flo Extracts, LLC
OCMCULT-2023-000179	Adult-Use Cultivator License	SJR Horticulture LLC
OCMCULT-2023-000250	Adult-Use Cultivator License	SKX LLC
OCMCULT-2023-000290	Adult-Use Cultivator License	HempChain Farms LLC
OCMCULT-2023-000308	Adult-Use Cultivator License	Simply Gold LLC
OCMCULT-2023-000317	Adult-Use Cultivator License	Night Owl Farm LLC
OCMCULT-2023-000324	Adult-Use Cultivator License	Sezby Growers LLC
OCMCULT-2023-000349	Adult-Use Cultivator License	Healthy Hi Inc.
OCMCULT-2024-000017	Adult-Use Cultivator License	Weaver Road Farms LLC
OCMCULT-2024-000018	Adult-Use Cultivator License	Mount Vision Pharms LLC
OCMCULT-2024-000020	Adult-Use Cultivator License	N&M Farms, LLC
OCMCULT-2024-000026	Adult-Use Cultivator License	Island Grow, LLC
OCMCULT-2024-000029	Adult-Use Cultivator License	Hudson Valley Canna LLC
OCMCULT-2024-000034	Adult-Use Cultivator License	TK Growers LLC
OCMCULT-2024-000040	Adult-Use Cultivator License	Stop 29 LLC
OCMCULT-2024-000044	Adult-Use Cultivator License	Volga Dutch Growers LLC
OCMDIST-2023-000006	Adult-Use Distributor License	NYHO LABS LLC
OCMDIST-2023-000061	Adult-Use Distributor License	urbanXtracts



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OCMDIST-2023-000128	Adult-Use Distributor License	SKX LLC
OCMDIST-2023-000132	Adult-Use Distributor License	Scotch Valley Ranch Hemp LLC
OCMDIST-2023-000140	Adult-Use Distributor License	Flo Extracts, LLC
OCMDIST-2023-000272	Adult-Use Distributor License	Tricolla Gardens LLC
OCMDIST-2023-000298	Adult-Use Distributor License	Night Owl Farm LLC
OCMDIST-2024-000027	Adult-Use Distributor License	Stop 31 LLC
OCMDIST-2024-000031	Adult-Use Distributor License	Homestead Hemp 1787 LLC
OCMDIST-2024-000032	Adult-Use Distributor License	CDS Brands, LLC
OCMDIST-2024-000036	Adult-Use Distributor License	Island Grow, LLC
OCMMICR-2023-000207	Adult-Use Microbusiness License	Myrkanna, LLC
OCMMICR-2023-000210	Adult-Use Microbusiness License (no retail)	The Grim Reefer LLC
OCMMICR-2023-000213	Adult-Use Microbusiness License	Taliaferro Farm Store LLC
OCMMICR-2023-000269	Adult-Use Microbusiness License	BACK HOME FARM LLC
OCMMICR-2023-000386	Adult-Use Microbusiness License (no retail)	Blackneck organics llc
OCMMICR-2023-000466	Adult-Use Microbusiness License (no retail)	Mothership Collection INC
OCMMICR-2023-000531	Adult-Use Microbusiness License	716HomeGrowz LLC
OCMMICR-2023-000576	Adult-Use Microbusiness License (no retail)	BRILLIANT BOTANICALS LLC
OCMMICR-2023-000592	Adult-Use Microbusiness License (no retail)	Goatwell Farms LLC
OCMMICR-2023-000596	Adult-Use Microbusiness License (no retail)	Fare Thee Well Farm, Inc.
OCMMICR-2023-000616	Adult-Use Microbusiness License	Flower City Botanical LLC
OCMMICR-2023-000765	Adult-Use Microbusiness License (no retail)	Rural Resurgence LLC
OCMMICR-2023-000892	Adult-Use Microbusiness License (no retail)	ALPS FARM LLC
OCMMICR-2023-000912	Adult-Use Microbusiness License (no retail)	Aeterna Cannabis LLC
OCMMICR-2023-001169	Adult-Use Microbusiness License (no retail)	Orgaceuticals NY LLC
OCMMICR-2023-000314	Adult-Use Microbusiness License (no retail)	Grateful Valley Farm, LLC
OCMPROC-2023-000004	Adult-Use Processor License	BRINKROC CONSULTING, LLC



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OCMPROC-2023-000006	Adult-Use Processor License	NYHO LABS LLC
OCMPROC-2023-000031	Adult-Use Processor License	Lit Inc.
OCMPROC-2023-000050	Adult-Use Processor License	DG INDUSTRIES, LLC
OCMPROC-2023-000066	Adult-Use Processor License	urbanXtracts
OCMPROC-2023-000106	Adult-Use Processor License	Catskill Food Company LLC
OCMPROC-2023-000132	Adult-Use Processor License	Dumbo Electric LLC
OCMPROC-2023-000167	Adult-Use Processor License	Scotch Valley Ranch Hemp LLC
OCMPROC-2023-000375	Adult-Use Processor License	Naturae LLC
OCMPROC-2023-000392	Adult-Use Processor License	Tricolla Gardens LLC
OCMPROC-2023-000439	Adult-Use Processor License	Green Wells Venture LLC
OCMPROC-2023-000444	Adult-Use Processor License	Night Owl Farm LLC
OCMPROC-2023-000501	Adult-Use Processor License	Cornucopia Growers LLC
OCMPROC-2024-000001	Adult-Use Processor License	Monument Mountain Farms LLC
OCMPROC-2024-000012	Adult-Use Processor License	Hemp at Action Acres LLC
OCMPROC-2024-000019	Adult-Use Processor License	GRASSE RIVER HEMP, LLC
OCMPROC-2024-000031	Adult-Use Processor License	Stop 30 LLC
OCMPROC-2024-000039	Adult-Use Processor License	Island Grow, LLC
OCMRETL-2023-000166	Adult-Use Retail Dispensary License	Star Life Retail Group LLC
OCMRETL-2023-000198	Adult-Use Retail Dispensary License	Moore & More, LLC
OCMRETL-2023-000320	Adult-Use Retail Dispensary License	Mileva LLC
OCMRETL-2023-000433	Adult-Use Retail Dispensary License	Kushwickz, Inc.
OCMRETL-2023-000609	Adult-Use Retail Dispensary License	Luisa Bella Holdings, LLC
OCMRETL-2023-000645	Adult-Use Retail Dispensary License	Liberty NY Cannabis, LLC
OCMRETL-2023-000722	Adult-Use Retail Dispensary License	Luxus Botanica
OCMRETL-2023-001229	Adult-Use Retail Dispensary License	Cali Happy Realty Corp
OCMRETL-2023-001264	Adult-Use Retail Dispensary License	RSSQ Holding LLC



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OCMRETL-2023-001329	Adult-Use Retail Dispensary License	Nicless LLC
OCMRETL-2023-001413	Adult-Use Retail Dispensary License	3714 34th LLC
OCMRETL-2023-001418	Adult-Use Retail Dispensary License	Upscale Cannabis Incorporated
OCMRETL-2023-001428	Adult-Use Retail Dispensary License	Friends Vintage LLC
OCMRETL-2023-001575	Adult-Use Retail Dispensary License	Rockaway Moonshot, LLC
OCMRETL-2023-001600	Adult-Use Retail Dispensary License	Green Veteran NY LLC
OCMRETL-2023-001609	Adult-Use Retail Dispensary License	Dream Daze LLC
OCMRETL-2023-001622	Adult-Use Retail Dispensary License	Treehouse Cannabis LLC
OCMRETL-2023-001665	Adult-Use Retail Dispensary License	THE PHINEST BUDS LLC
OCMRETL-2023-001666	Adult-Use Retail Dispensary License	NTNR Dispensary LLC
OCMRETL-2023-002056	Adult-Use Retail Dispensary License	Cannabis Creations INC
OCMRETL-2023-002068	Adult-Use Retail Dispensary License	296 Retail Venture LLC
OCMRETL-2023-002154	Adult-Use Retail Dispensary License	NY Retail 2 Inc.



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## Attachment B

8/6/2024

SENT VIA EMAIL

Staten Island Community Board 3  
1243 Woodrow Rd,  
Staten Island, NY 10309

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Staten Island Community Board 3:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for Luisa Bella Holdings LLC located at 35 Page Avenue, Staten Island, NY 10309.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about 3/5/2024 the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Luisa Bella Holdings LLC, and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including registered organizations with retail dispensing (RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.
  - The two entities must be located on the same street for the 200-foot requirement to be applicable.



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- A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
  - The two entities must be located on the same street for the 500-foot requirement to be applicable.
  - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant the licensee to the applicant.

Furthermore, the Board reviewed and confirmed Luisa Bella Holdings LLC completion of all application requirements for final licensure.

After careful review and consideration of the opinion received from your Community Board, and pursuant to the Cannabis Law and related regulations, a license was approved for Luisa Bella Holdings LLC located at 35 Page Avenue, Staten Island, NY 10309.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at [municipalities@ocm.ny.gov](mailto:municipalities@ocm.ny.gov).

Sincerely,  
Tremaine Wright  
Chair  
Cannabis Control Board





# Office of Cannabis Management

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8/6/2024

**SENT VIA EMAIL**

Queens Community Board 14  
1931 Mott Ave, Room 311,  
Far Rockaway, NY 11691

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Queens Community Board 14:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for Rockaway Moonshot, LLC located at 95-19 Rockaway Beach Blvd, Rockaway Beach , NY 11693.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about 11/29/2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to SeaBD LLC and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including registered organizations with retail dispensing (RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.



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- The two entities must be located on the same street for the 200-foot requirement to be applicable.
  - A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
    - The two entities must be located on the same street for the 500-foot requirement to be applicable.

Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order for a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law. Currently, New York City has not adopted a local law establishing distance requirements from Public Youth Facilities.

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

Furthermore, the Board reviewed and confirmed Luisa Bella Holdings LLC completion of all application requirements for final licensure.

After careful review and consideration of the opinion received from your Community Board, and pursuant to the Cannabis Law and related regulations, a license was approved for Rockaway Moonshot, LLC located at 95-19 Rockaway Beach Blvd, Rockaway Beach, NY 11693.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at [municipalities@ocm.ny.gov](mailto:municipalities@ocm.ny.gov).

Sincerely,

Tremaine Wright  
Chair  
Cannabis Control Board



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8/6/2024

**SENT VIA EMAIL**

Village of Waverly  
32 Ithaca Street,  
Waverly, NY 14892

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Village of Waverly:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for NTNDR Dispensary LLC located at 332 Broad St Waverly NY 14892.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about 10/31/2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to NTNDR Dispensary LLC, and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including registered organizations with retail dispensing (RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.



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- The two entities must be located on the same street for the 200-foot requirement to be applicable.
  - A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
    - The two entities must be located on the same street for the 500-foot requirement to be applicable.
    - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law.

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant. The 2,000 buffer zone applies to the applicant that receives proximity protection.

After careful review and consideration of the opinion received from your Locality, and pursuant to the Cannabis Law and related regulations, a license was approved for NTNDR Dispensary LLC located at 332 Broad St Waverly NY 14892.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at [municipalities@ocm.ny.gov](mailto:municipalities@ocm.ny.gov).

Sincerely,

Tremaine Wright  
 Chair  
 Cannabis Control Board



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8/6/2024

**SENT VIA EMAIL**

Queens Community Board 9  
120-55 Queens Boulevard, Room 310-A,  
Kew Gardens, NY 11424

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Queens Community Board 9:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for Cannabis Creations Inc located at 119-26 Metropolitan Avenue, Kew Gardens NY 11415.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about 12/21/2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Cannabis Creations Inc and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including registered organizations with retail dispensing (RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
- A minimum straight-line measurement of 200 feet between any cannabis dispensary and a building exclusively used as a house of worship.



# Office of Cannabis Management

<b>KATHY HOCHUL</b>	<b>TREMAINE WRIGHT</b>	<b>JESSICA GARCIA</b>	<b>HOPE KNIGHT</b>	<b>ADAM W. PERRY</b>	<b>JENNIFER GILBERT JENKINS</b>	<b>FELICIA A.B. REID</b>
Governor	Cannabis Control Board Chair	Board Member	Board Member	Board Member	Board Member	Acting Executive Director

- The two entities must be located on the same street for the 200-foot requirement to be applicable.
  - A minimum straight-line measurement of 500 feet between any cannabis dispensary and a public youth facility or building exclusively used as a school.
    - The two entities must be located on the same street for the 500-foot requirement to be applicable.
    - Public Youth facility means a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger. Please note, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law

In its consideration of the proposed license, the Board reviewed and confirmed the foregoing proximity requirements in its decision to grant or deny the licensee to the applicant.

The Office of Cannabis enforcement division is working to end illicit and unlicensed cannabis activities within the State. Although your Office’s concerns are well received, they do not pose a specific concern as it relates to the issuance of the contemplated license.

After careful review and consideration of the opinion received from your Community Board, and pursuant to the Cannabis Law and related regulations, a license was approved for Cannabis Creations Inc located at 119-26 Metropolitan Avenue, Kew Gardens NY 11415.

If you have any questions regarding this letter, please contact the New York State Office of Cannabis Management at [municipalities@ocm.ny.gov](mailto:municipalities@ocm.ny.gov).

Sincerely,

Tremaine Wright  
Chair  
Cannabis Control Board



# Office of Cannabis Management

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Governor	Cannabis Control Board Chair	Board Member	Board Member	Board Member	Board Member	Acting Executive Director

8/6/2024

**SENT VIA EMAIL**

Queens Community Board 9  
120-55 Queens Boulevard, Room 310-A,  
Kew Gardens, NY 11424

Re: Response from the New York State Cannabis Control Board under Cannabis Law Section 76(4)

Dear Queens Community Board 9:

This letter is in reference to the Cannabis Control Board’s decision to approve the license for Cannabis Creations Inc located at 119-26 Metropolitan Avenue, Kew Gardens NY 11415.

Pursuant to Article 4 of the Cannabis Law, the Cannabis Control Board (Board) is authorized to issue registrations, licenses, and permits related to adult-use retail dispensaries, registered organization with dispensary (ROD), or for on-site consumption (License) within the State. Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State (Municipality), or a community board within New York City (Community Board), expresses an opinion (Opinion) either for or against the Board’s issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion. Furthermore, Part 119 of Title 9 of New York Codes Rules and Regulations (9 NYCRR) proscribes the timeframe of thirty (30) days, with the option to request thirty (30) additional days, in which a Municipality or Community Board may submit their Opinion to the Board.

On or about 12/21/2023, the Board received an Opinion from your office (Office) outlining concerns on the review and issuance of a license to Cannabis Creations Inc and the Board is responding as follows:

Pursuant to 9 NYCRR, the Board implemented distance and proximity requirements between licensed retail dispensaries, including registered organizations with retail dispensing (RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, schools, and public youth facilities, where applicable.

The Municipality Rulemaking regulations (9 NYCRR) require:

- A proposed adult-use cannabis retail dispensary location to not be located in a municipality that opted out of allowing retail dispensary locations.
- A minimum distance of 2,000 feet between adult-use cannabis retail dispensaries in municipalities with a population less than 20,000.
- A minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more.
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Sincerely,

Tremaine Wright  
Chair  
Cannabis Control Board