



# 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. 2024-93  
September 10, 2024

## RESOLUTION DENYING THE ISSUANCE OF CERTAIN ADULT-USE CANNABIS LICENSES

**WHEREAS**, pursuant to Article 4 and Article 2 Section 10(2) of the Cannabis Law, the Cannabis Control Board (Board) is given the sole discretion to limit, or not to limit, the number of licenses of each class to be issued;

**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 Article 2 Section 10(2) of the Cannabis Law, the Board has further determined that in order to best address small business opportunities and concerns, avoid market dominance in sectors of the industry, reflect the demographics of the state, and give more individuals the opportunity to hold a retail dispensary license, that each retail dispensary for the initial adult-use application period, which opened in October 2023, would only be awarded one retail dispensary license at this time;

**WHEREAS**, pursuant to Sections 8 and 11 of the Cannabis Law, the Office of Cannabis Management is charged with the responsibility of exercising the powers and duties provided by the Cannabis Law, including to advise and assist the Board in carrying out any of its functions, powers and duties;

**WHEREAS**, after having reviewed Cannabis Law and the New York Codes, Rules, and Regulations, laying out the licensure criteria, the Office reviewed the applications to determine whether they satisfy the licensure criteria and/or whether the applicant or majority owner is currently an adult-use cannabis retail dispensary licensee;

**WHEREAS**, upon such review, the Office determined that the applications identified on [**Attachment A**] do not satisfy the licensure criteria for the reasons set forth in the supporting documentation, and/or the applicant or majority owner is currently an adult-use cannabis retail dispensary licensee and thus shall not be awarded additional adult-use cannabis retail dispensary licenses at this time, and has recommended denial of licensure;

**WHEREAS**, the Chairperson of the Board, based on the Office’s recommendation and supporting documentation, has made a preliminary determination to deny adult-use cannabis licenses to certain individuals and entities that have applied for an adult-use cannabis license;

**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 deny certain adult-use cannabis licenses, and no member of the Board requests that the matter be brought before the full Board for consideration;

**WHEREAS**, the Board desires to deny a license to every applicant that has received the Chairperson’s aforementioned preliminary determination [**Attachment A**] to deny adult-use cannabis license for the reasons set forth in the denial letter issued to each such applicant; now, therefore, be it

**RESOLVED**, that the Board denies an adult-use cannabis license to every applicant that has received the Chairperson’s aforementioned preliminary determination to deny an adult-use cannabis license and such denial shall be a final administrative decision with no further appeals process provided therefor by the agency.

[**Attachment A**]



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## Attachment A: Adult Use Licenses Denied:

Application Number	Legal Business Name	High-Level Reason for Denial
<b>OCMRETL-2023-000100</b>	Sweet Smokers Outlet	(9) the applicant, or any true party of interest of the applicant, has a history of giving away or selling cannabis or cannabis products in an unlicensed and unauthorized manner after March 31, 2021, through a store located on a public thoroughfare, vehicle, or “membership club” that sells cannabis or cannabis products or charges retail customers a membership or admittance fee, or otherwise poses as an authorized cannabis licensed business;
<b>OCMRETL-2023-002000</b>	Ocean Vibes	(9) the applicant, or any true party of interest of the applicant, has a history of giving away or selling cannabis or cannabis products in an unlicensed and unauthorized manner after March 31, 2021, through a store located on a public thoroughfare, vehicle, or “membership club” that sells cannabis or cannabis products or charges retail customers a membership or admittance fee, or otherwise poses as an authorized cannabis licensed business;
<b>OCMMICR-2023-000452</b>	Papi's Secret Stash LLC	(9) the applicant, or any true party of interest of the applicant, has a history of giving away or selling cannabis or cannabis products in an unlicensed and unauthorized manner after March 31, 2021, through a store located on a public thoroughfare, vehicle, or “membership club” that sells cannabis or cannabis products or charges retail customers a membership or admittance fee, or otherwise poses as an authorized cannabis licensed business;